FEDERAL REGISTER

VOLUME 10 NUMBER 17

Washington, Wednesday, January 24, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 385, 4th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

BLACK STEM RUST

Introductory note: Under this revision of Circular B. E. P Q. 385, Mahonia dictyota, M. gracilis, and M. pinnata have been added to the list of species which may be shipped into or between the protected States, inasmuch as these three species, which may be horticulturally desirable for use in some of the Western States, have been thoroughly tested and found to be either immune or highly resistant to the black stem rust.

§ 301.38–3a *Administrative instructions; classification of barberry and mahonia plants.* Pursuant to the authority conferred on the Chief of the Bureau of Entomology and Plant Quarantine by § 301.38–3 (c) there are hereby designated the species, varieties, or hybrids of barberries and mahonias that are known to be (1) sufficiently resistant to black stem rust to involve no danger of spread of the rust and which may be shipped under permit, and (2) the rust-resistant varieties of the Japanese barberry.

(a) Rust-resistant species which may be shipped to or between the protected States under permit:

Berberis beaniana.
Berberis buxifolia.
Berberis candidula.
Berberis chenaulti (hybrid).
Berberis circumserrata.
Berberis concinna.
Berberis darwini.
Berberis edgeworthiana.
Berberis gagnepaini.
Berberis gilgiana.
Berberis julianae.
Berberis koreana.
Berberis mentorensis.
Berberis potanini.
Berberis sanguinea.
Berberis sargentiana.
Berberis stenophylla (hybrid).
Berberis triacanthophora.
Berberis verruculosa.
Mahonia aquifolium (Berberis).
Mahonia bealei (Berberis).
Mahonia dictyota (Berberis).
Mahonia gracilis (Berberis).
Mahonia nervosa (Berberis).
Mahonia pinnata (Berberis).
Mahonia repens (Berberis).

(b) Rust-resistant varieties of Japanese barberry which may be shipped to any State without permit or restrictions under these regulations:

Berberis thunbergi.
Berberis thunbergi var. atropurpurea.
Berberis thunbergi var. maximowiczi.
Berberis thunbergi var. minor.
Berberis thunbergi f. erecta.

Paragraph (b) of § 301.38–3 further provides that no permit is required for cuttings (without roots) of mahonia when shipped for decorative purposes and not for propagation.

Barberry and mahonia plants other than those listed in paragraphs (a) and (b) above may not be shipped interstate into any of the protected States.

The protected States as listed in the black stem rust quarantine regulations as revised effective December 26, 1944, are: Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

Application for permit should be addressed to the Division of Domestic Plant Quarantines, Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington 25, D. C.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.38–3)

Done at Washington, D. C., this 15th day of January 1945.

Effective January 24, 1945.

P. N. ANNAND,
Chief.

[F. R. Doc. 45-1380; Filed, Jan. 22, 1945; 8:31 p. m.]

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The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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Chapter XI—War Food Administration (Distribution Orders)

[WFO 75, Amdt. 20]

PART 1410—LIVESTOCK AND MEATS

ISSUANCE OF SLAUGHTER PERMITS AND LICENSES

War Food Order No. 75, as amended (8 F.R. 11119, 9 F.R. 4319, 4973, 5333, 5767, 10033, 11929, 10 F.R. 103), is further amended by deleting paragraph (g) and substituting in lieu thereof the following:

(g) *Issuance of permits and licenses.* All applications under this order shall be submitted on such forms and contain such information as the Director may require. Upon the receipt of an application properly executed, the Director shall issue the appropriate permit or license unless (1) he has reason to believe that the proposed recipient can not or will not comply with the applicable provisions of this order, or (2) he has reason to believe that the application is being made for the benefit of a person who has violated any provision of this order or of any order or regulation issued thereunder, or (3) he determines that the issuance of a license is not necessary or appropriate in the public interest and to promote the national defense for the reason that the issuance thereof will not effectuate or will interfere with the purposes of this order or the procurement of meat for the armed services or for other defense requirements. Where the Director determines that a license shall not be issued, he shall notify the person affected in what respect he fails to meet the requirements of this order, and shall afford an opportunity to submit additional information establishing the right to a license or permit.

This order shall become effective at 12:01 a. m., e. w. t., January 24, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of January 1945.

GROVER B. HILL,
First Assistant
War Food Administrator

[F. R. Doc. 45-1399; Filed, Jan. 23, 1945; 11:11 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

Subchapter E—Viruses, Serums, Toxins, and Analogous Products; Organisms or Vectors

PART 114—PRODUCTION, TESTING, ETC.

MARKETING AND USE OF BRUCELLA ABORTUS VACCINE

Pursuant to the authority conferred upon the Chief of the Bureau of Animal Industry by § 114.1, Chapter I, Title 9, Code of Federal Regulations (Reg. 14, BAI order 276, August 18, 1922) § 114.8 (Circ. letter 2106 BAI May 26, 1938) Chapter I, Title 9, Code of Federal Regulations is hereby amended, effective February 15, 1945, to read as follows:

§ 114.8 *Brucella abortus vaccine; marketing and use.* This vaccine shall be marketed only after it has been produced, bottled, tested, and labeled as described in the latest outline of the licensee filed with the Bureau of Animal Industry with no recorded objections (§ 114.5) Such outlines shall specify, among other things, the minimum number of viable brucella abortus organisms per cubic centimeter that shall be present in the product until the end of the period of use indicated by the expiration date. (§ 101.1 (r)) The expiration date for the liquid form of this vaccine shall not exceed three months from the date of production (harvesting)

Licensees may recommend the vaccine for the immunization of bovine animals over four months of age if not more than four months in pregnancy and such use is not prohibited by the State.

(9 C.F.R., 114.8; 37 Stat. 832, 21 U.S.C. 151 *et seq.*)

Done at Washington, D. C., this 13th day of January 1945.

A. W MILLER,
Chief.

[F. R. Doc. 45-1379; Filed, Jan. 22, 1945; 3:31 p. m.]

TITLE 10—ARMY. WAR DEPARTMENT

Chapter X—Areas Restricted for National Defense Purposes

PART 1003—WAR RELOCATION PROJECTS

[Public Proc. WD 2]

PERSONS OF JAPANESE ANCESTRY

JANUARY 20, 1945.

To: The People within the States of Arkansas, Colorado and Wyoming, and the Public Generally:

Whereas, Pursuant to Executive Order No. 9066, (7 F.R. 1407) dated February 19, 1942, the Secretary of War issued Public Proclamation No. WD 1, dated August 13, 1942 (7 F.R. 6593), which established certain areas in the States of Arkansas, Colorado and Wyoming as Military Areas, designated such areas as War Relocation Project Areas, imposed restrictions regulating the right of certain persons of Japanese ancestry and members of their families to leave War Relocation Project Areas, and contained other provisions; and

Whereas, As a result of the substantial improvement in the military situation since the exclusion and evacuation of all persons of Japanese ancestry from designated areas of the Western Defense Command, the Commanding General, Western Defense Command, has terminated the system of mass exclusion and substituted therefor a system of individual determination and exclusion of those persons whose presence within sensitive areas is deemed a source of potential danger to military security; and

Whereas, The termination of the system of mass exclusion makes unnecessary the continuation, as to those persons who have not been individually excluded, of restrictions regulating their right to leave War Relocation Project Areas;

Now, therefore, I, Henry L. Stimson, Secretary of War, by virtue of the authority vested in me by the President of the United States, and my powers and prerogatives as Secretary of War, do hereby declare that:

1. Paragraphs (b) and (c) of Public Proclamation No. WD 1 (§ 103.1) shall be of no further force or effect except as to those persons of Japanese ancestry who have been or may be designated individually for exclusion from sensitive areas of the Western Defense Command or for other control by the Commanding General, Western Defense Command, or by any War Department or other Government agency acting within the scope of its authority.

2. Paragraph (d) of Public Proclamation No. WD 1 is amended to read as follows:

(d) No persons other than the persons of Japanese ancestry who have been or may be designated individually for exclusion from sensitive areas of the Western Defense Command or for other control by the Commanding General, Western Defense Command, or by any War Department or other Government agency acting within the scope of its authority, other than military personnel on duty at a given War Relocation Project, and other than persons employed by the War Relocation Authority established by Executive Order No. 9102, dated March 18, 1942, shall enter any of such War Relocation Project Areas except upon written authorization executed by or pursuant to the express authority of the Secretary of War or the Director, War Relocation Authority, first obtained, which said authorization shall set forth the effective period thereof and the terms and conditions upon and purposes for which it has been granted.

3. This proclamation shall not operate to affect any offense heretofore committed, nor any conviction or penalty incurred because of violations of Public Proclamation No. WD 1.

4. This proclamation shall be effective immediately.

[SEAL] HENRY L. STIMSON,
Secretary of War.

[F. R. Doc. 45-1382; Filed, Jan. 22, 1945; 4:11 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5117]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BUCHER'S IMPERIAL BREEDING FARM, INC., ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government connection:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation:* § 3.6 (a) *Advertising falsely or misleading—Business status, advantages or connections of advertiser—Stock:* § 3.6 (i) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (dd) *Advertising falsely or misleadingly—Special or limited offers:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.72 (n) *Offering deceptive inducements to purchase or deal—Special offers, savings and discounts:* § 3.72 (n10) *Offering deceptive inducements to purchase or deal—Terms and conditions.* In connection with the offering for sale, sale and distribution of baby chicks or other poultry in commerce, (1) representing that respondents are R. O. P. poultry breeders or that they operate a poultry plant under the supervision of an official state agency supervising United States Record of Performance Work; or in any other manner misrepresenting the egg production record of respondents' flocks or the extent of supervision maintained over said flocks; (2) representing that baby chicks hatched from egg produced on farms other than those owned and controlled by the respondents were hatched from eggs produced at the hatcheries operated by the respondents; (3) representing that any number of chicks will be delivered free, when such delivery is contingent upon the purchase of other chicks from the respondents; (4) representing that a certain number of chicks will be supplied with the purchase of a stated number of chicks unless the additional chicks so specified are actually delivered or authority to substitute is obtained from the purchaser prior to delivery; or (5) representing that respondents are making a special offer to a limited number of prospective purchasers for advertising or display purposes or otherwise, when such offer is made available to purchasers generally, without restriction as to number or location; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15

U.S.C., sec. 45b) [Modified cease and desist order, Rucker's Imperial Breeding Farm, Inc., et al., Docket 5117, December 21, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of December, A. D. 1944.

In the Matter of Rucker's Imperial Breeding Farm, Inc., a Corporation, Famous Poultry Farms, Inc., a Corporation, Hillview Poultry Farms, Inc., a Corporation; Ross R. Salmon, Individually, and as an Officer of Rucker's Imperial Breeding Farm, Inc., a Corporation, Famous Poultry Farms, Inc., a Corporation, and Hillview Poultry Farms, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, and a stipulation as to the facts entered into upon the record, which stipulation provided, among other things, that the Commission might proceed upon the facts as stipulated without further evidence (the report of the trial examiner, briefs of counsel, and oral argument having been expressly waived), and the Commission, having duly approved said stipulation, made and entered its findings as to the facts, conclusion, and order to cease and desist on October 21, 1944. Thereafter, on November 3, 1944, the respondents filed a motion to modify the findings as to the facts, conclusion, and order to cease and desist; and the Commission, having considered said motion and the record herein and being of the opinion that a modified order to cease and desist should be issued in said cause, issues this its modified order to cease and desist:

It is ordered, That the respondent Rucker's Imperial Breeding Farm, Inc., a corporation, and its officers, and the respondent Ross R. Salmon, an individual, and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of baby chicks or other poultry in commerce as "commerce" is defined in the Federal Trade Commision Act, do forthwith cease and desist from:

1. Representing that respondents are R. O. P poultry breeders or that they operate a poultry plant under the supervision of an official state agency supervising United States Record of Performance Work; or in any other manner misrepresenting the egg-production record of respondents' flocks or the extent of supervision maintained over said flocks.

2. Representing that baby chicks hatched from eggs produced on farms other than those owned and controlled by the respondents were hatched from eggs produced at the hatcheries operated by the respondents.

3. Representing that any number of chicks will be delivered free, when such delivery is contingent upon the purchase of other chicks from the respondents.

4. Representing that a certain number of chicks will be supplied with the purchase of a stated number of chicks unless the additional chicks so specified are actually delivered or authority to substitute is obtained from the purchaser prior to delivery.

5. Representing that respondents are making a special offer to a limited number of prospective purchasers for advertising or display purposes or otherwise, when such offer is made available to purchasers generally, without restriction as to number or location.

It is further ordered, That the complaint herein be, and the same hereby is, dismissed as to the respondents Famous Poultry Farms, Inc., a corporation, and Hillview Poultry Farms, Inc., a corporation.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] A. N. Ross,
Acting Secretary.

[F. R. Doc. 45-1398; Filed, Jan. 23, 1945; 11:11 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Rev. Reg. 18, Amdt. 1]

PART 602—GENERAL ORDERS AND DIRECTIVES

MISCELLANEOUS AMENDMENTS

SFAW Revised Regulation No. 18 is hereby amended in the following respects:

1. Section 602.334 is amended to read as follows:

§ 602.334 *Deliveries on local sales in the producing region.* A producer or wholesaler may, notwithstanding other provisions of this regulation, during the period April 1, 1944 to March 31, 1945, inclusive, deliver or arrange through retail dealers for the delivery to consumers (other than mine employees) of anthracite on local sales in the producing region, up to but not in excess of 82½ percent of the aggregate of the base period tonnages, as adjusted, which such producer or wholesaler has established in respect to such local sales in the producing region. In making deliveries of anthracite on local sales in the producing region, no producer, wholesaler or retail dealer shall deliver during the period April 1, 1944 to March 31, 1945, inclusive, to consumers (other than mine employees) more than 87½ percent of the individual consumer's annual requirements for anthracite. In respect to producers, wholesalers and retail dealers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to January 31, 1945, at a rate in excess of 82½ percent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of 7/12 of 82½ percent of the base period tonnage, as adjusted, but not in excess of 7/12 of 90 percent of the base period tonnage, as adjusted, and tonnage shipped during the period August 1, 1944 to January 31, 1945, inclusive, in excess of 7/12 of 82½ percent of the base period tonnage, as adjusted, but not in excess of 7/12 of 87½ percent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

2. Paragraphs (a) (1), (d) (1) and (d) (4) of § 602.336 are amended to read as follows:

(a) * * *

(1) Except as otherwise provided in paragraphs (b) and (c) of this section and subparagraphs (2) and (3) of this paragraph (a) each producer and wholesaler (including a lake dock operator) shall arrange his schedule for the distribution of his available tonnage (exclusive of deliveries by truck from a mine or preparation plant which are governed by paragraph (d) of this section) so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied anthracite—except No. 2 buckwheat (rice)—to each equipped retail dealer in the United States and Canada, up to but not in excess of 82½ per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and each such equipped retail dealer. In respect to producers and wholesalers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to January 31, 1945 at a rate in excess of 82½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of 7/12 of 82½ per cent of the base period tonnage, as adjusted, but not in excess of 7/12 of 90 per cent of the base period tonnage, as adjusted, and tonnage shipped during the period August 1, 1944 to January 31, 1945, inclusive, in excess of 7/12 of 82½ per cent of the base period tonnage, as adjusted, but not in excess of 7/12 of 87½ per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

* * * * *

(d) * * *

(1) Each producer and wholesaler shall arrange his schedule for the distribution of his available tonnage of anthracite—except No. 2 buckwheat (rice)—for shipment by truck to each person with whom he has an established base period tonnage for truck shipments so that during the period April 1, 1944 to March 31, 1945, inclusive, he shall have supplied to each such person, on the basis, to the maximum extent practicable, of regular equal monthly shipments up to but not in excess of 82½ per cent of the base period tonnage, as adjusted, of each such person. In respect to producers and wholesalers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade

generally prior to January 31, 1945 at a rate in excess of 82½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of 4/12 of 82½ per cent of the base period tonnage, as adjusted, but not in excess of 4/12 of 90 per cent of the base period tonnage, as adjusted, and tonnage shipped during the period August 1, 1944 to January 31, 1945, inclusive, in excess of 9/12 of 82½ per cent of the base period tonnage, as adjusted, but not in excess of 9/12 of 87½ per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

* * * * *

(4) If a producer or a wholesaler does not have records which establish a base period tonnage of a person receiving anthracite by truck, such producer or wholesaler may distribute anthracite to such person by truck, *Provided,* That the aggregate tonnage of truck shipments by such producer or wholesaler to all persons does not in any calendar month during the period April 1, 1944 to July 31, 1944, inclusive, exceed 1/12 of 90 per cent, or during the period August 1, 1944 to January 31, 1945, inclusive, exceed 1/12 of 87½ per cent, or during the period February 1, 1945 to March 31, 1945, inclusive, exceed 1/12 of 82½ per cent, of the aggregate base period tonnage, as adjusted, of truck shipments by such producer or wholesaler to all such persons.

3. Paragraph (a) of § 602.339 is amended to read as follows:

(a) Each equipped retail dealer (including a lake dock operator or a tidewater dock operator) shall arrange his distribution schedule so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied anthracite—except No. 2 buckwheat (rice)—to each unequipped-retail dealer, up to but not in excess of 82½ per cent of the base period tonnage, as adjusted, established between such equipped retail dealer and such unequipped retail dealer. In respect to retail dealers who, in accordance with this regulation, had available tonnage sufficient to ship to unequipped retail dealers generally prior to January 31, 1945 at a rate in excess of 82½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of 4/12 of 82½ per cent of the base period tonnage, as adjusted, but not in excess of 4/12 of 90 per cent of the base period tonnage, as adjusted, and tonnage shipped during the period August 1, 1944 to January 31, 1945, inclusive, in excess of 9/12 of 82½ per cent of the base period tonnage, as adjusted, but not in excess of 9/12 of 87½ per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

4. Section 602.341 is amended to read as follows:

§ 602.341 *Receipts by retail dealers and persons receiving anthracite by truck restricted.* Except as provided in paragraphs (a) (2) (a) (3) and (d) (2) of § 602.336 and paragraph (e) of § 602.338, no retail dealer and no person who receives anthracite by truck from a mine or preparation plant pursuant to § 602.336 (d) may receive (i) from all sources combined a tonnage of anthracite which either exceeds 82½ per cent of the sum of his base period tonnages, as adjusted, established between such retail dealer or person and each of the producers, wholesalers or equipped retail dealers who supplied him during the base period or (ii) any anthracite which a producer, wholesaler or equipped retail dealer is not authorized to ship under this regulation. In respect to producers, wholesalers and retail dealers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to January 31, 1945 at a rate in excess of 82½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of 4/12 of 82½ per cent of the base period tonnage, as adjusted, but not in excess of 4/12 of 90 per cent of the base period tonnage, as adjusted, and tonnage shipped during the period August 1, 1944 to January 31, 1945, inclusive, in excess of 9/12 of 82½ per cent of the base period tonnage, as adjusted, but not in excess of 9/12 of 87½ per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be received pursuant to this section.

No retail dealer may receive anthracite except on condition that he will distribute it in accordance with SFAW Regulation No. 17, or other applicable regulations of SFAW

5. A new section numbered § 602.364 is added, to read as follows:

§ 602.364 *Disposition of excess tonnage during the months of February and March 1945.* Notwithstanding the provisions of § 602.337 (a) and § 602.338 (a) and (b), the following provisions shall govern the disposition of excess tonnage during each of the months of February and March 1945.

(a) Each producer and wholesaler shall, on the basis of the tonnage which he may reasonably expect to have available, determine what tonnages he will have in excess of those required for necessary shipments as excludable tonnage and for required shipments as available tonnage. Thereupon, each producer and wholesaler who has, or reasonably anticipates that he will have, excess tonnage, shall make arrangements with one or more deficient producers or wholesalers who have been designated as deficient producers or wholesalers by SFAW as of December 31, 1944, for the distribution to such producers and wholesalers of all such excess tonnage: *Provided,* That no deficient producer or wholesaler may receive a tonnage in excess of the maximum tonnage which he may need to make required shipments pursuant to this regulation.

(b) On or before February 5, 1945, each producer or wholesaler who has, or reasonably anticipates that he will have, such excess tonnage, shall report to SFAW, Washington 25, D. C., the arrangements he has made to dispose of such tonnage for each of the months of February and March 1945 and shall give the name and address of each deficient producer or wholesaler to whom such tonnage will be distributed, together with the tonnage to be shipped to each.

(c) Each producer and wholesaler is prohibited from shipping any excess tonnage during February and March 1945, unless (1) he has made a report concerning the disposition of such tonnage on or before February 5, 1945 pursuant to paragraph (b) of this section, or (2) he has received written permission from SFAW to ship such tonnage.

SFAW will, on the basis of information available to it, including such reports as have been filed by producers and wholesalers in accordance with this section, issue such directions for the disposition of excess tonnage as may be necessary to provide for the equitable distribution of such tonnage.

This amendment shall become effective at 12:01 a. m. February 1, 1945.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 20th day of January 1945.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 45-1366; Filed, Jan. 22, 1945; 12:03 p. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

[SFAW Reg. 25]

DISTRIBUTION OF BITUMINOUS COAL VIA GREAT LAKES

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of bituminous coal for defense, for private account and for export. Therefore, in order to assure the proper distribution of bituminous coal moving via the Great Lakes in the United States and Canada during the 1945 season of navigation, it is necessary to issue the following regulation:

Sec.

602.600 Meaning of terms used in this regulation.
602.601 Scope of this regulation.
602.602 Contracts required for coal moving via the Great Lakes.
602.603 How contracts shall be made.
602.604 Amount of coal for which industrial consumers receiving coal at docks on the Great Lakes may contract.
602.605 Amount of coal for which industrial consumers receiving coal ex-lake dock may contract.
602.606 Amount of coal which commercial lake dock operators may contract to receive.
602.607 Amount of coal which lake forwarders may contract to receive.
602.608 Amount of coal which producers, wholesalers and lake forwarders may contract to ship to industrial consumers.

Sec.
602.609 Amount of coal which producers, wholesalers and lake forwarders may contract to ship to dock operators.
602.610 Information required to be filed by receivers, lake forwarders, producers and industrial consumers.
602.611 Shippers may rely on representations of purchasers.
602.612 Damages for breach of contract.
602.613 Violations.
602.614 Official interpretations.
602.615 Applications for modification or exception.

§ 602.600 *Meaning of terms used in this regulation.* "Coal" means bituminous and subbituminous coal.

"Producer" means any person to the extent that he is engaged in the business of mining or preparing coal (or the sales agent of such person)

"Wholesaler" means a distributor, jobber, cooperative or any person, except a receiver, to the extent that he purchases and resells coal in not less than carload lots.

"Lake Forwarder" means any person who directs or orders the dumping of coal into vessels for transshipment via the Great Lakes, or for vessel or bunker fuel use on the Great Lakes.

"Receiver" means (1) any commercial dock operator who purchases coal for resale, to the extent that he receives such coal by vessel or barge at a dock or other unloading facility located on the Great Lakes and (2) any industrial consumer (including a railroad or steamship company) who purchases coal for his own use, to the extent that he receives such coal by vessel or barge at a dock or other unloading facility located on the Great Lakes.

"Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or organized group of persons.

§ 602.601 *Scope of this regulation.* This regulation applies to the distribution of bituminous coal via the Great Lakes to commercial lake dock operators and to industrial consumers receiving coal on the lakes and ex-lake dock, except that it does not apply to the lake movement of "special purpose" coal which is subject to the provisions of SFAW Regulation No. 24.

§ 602.602 *Contracts required for coal moving via the Great Lakes.* (a) If you are a producer, wholesaler, or lake forwarder, you are prohibited from shipping via the Great Lakes during the 1945 season of lake navigation any coal except (1) pursuant to a written contract made and reported in accordance with the provisions of this regulation, or (2) pursuant to written permission or directions issued by SFAW

(b) If you are a receiver, you are prohibited from receiving via the Great Lakes during the 1945 season of lake navigation any coal except (1) pursuant to a written contract made and reported in accordance with the provisions of this regulation, or (2) pursuant to written permission or directions issued by SFAW

(c) If you are an industrial consumer, you are prohibited from receiving, during the period May 15, 1945 to May 15, 1946, any coal ex-lake dock except (1) pursuant to a written contract made in accordance with the provisions of this regulation, or (2) pursuant to written permission or direction issued by SFAW

(d) If you are a lake forwarder, you are prohibited from receiving, for sale and transshipment to any receiver, during the 1945 season of lake navigation, any coal except (1) pursuant to a written contract made and reported in accordance with the provisions of this regulation, or (2) pursuant to written permission or directions issued by SFAW

§ 602.603 *How contracts shall be made*—(a) *Contracts with receivers.* Each contract providing for shipment of coal to a receiver shall be in writing (formal or informal) and shall

(1) Be made on before February 20, 1945

(2) Be a firm undertaking by the shipper to supply and the receiver to accept a stated tonnage of coal; and

(3) Conform to the provisions of §§ 602.604, 602.606, 602.608 and 602.609 of this regulation.

(b) *Contracts with lake forwarders.* Each contract providing for shipment of coal to a lake forwarder for sale and transshipment shall be in writing (formal or informal) and shall

(1) Be made on or before February 20, 1945

(2) Be a firm undertaking by the shipper to supply and the lake forwarder to accept for sale and transshipment a stated tonnage of coal; and

(3) Conform to the provisions of § 602.607 of this regulation.

(c) *Contracts for ex-lake dock shipment.* Each contract for shipment of coal ex-lake dock to an industrial consumer shall be in writing (formal or informal) and shall

(1) Be made on or before March 20, 1945

(2) Be a firm undertaking by the shipper to supply and the industrial consumer to accept a stated tonnage of coal; and

(3) Conform to the provisions of § 602.605 of this regulation.

§ 602.604 *Amount of coal for which industrial consumers receiving coal at docks on the Great Lakes may contract.* If you are an industrial consumer receiving coal by vessel or barge at a dock or other unloading facility located on the Great Lakes, you are prohibited from contracting to receive via the Great Lakes, directly or through a lake forwarder, during the 1945 season of lake navigation, an amount of coal which, when added to your estimated receipts to May 15, 1946, from all other sources and by all other methods of transportation, is greater than your consumption requirements from May 15, 1945 to May 15, 1946.

Under SFAW Regulation No. 23, you are permitted to obtain, from all sources combined, enough coal to meet your consumption requirements to May 15, 1945. However, if the coal which you have on hand on March 1, 1945, and shipments you have arranged to receive from all sources prior to May 15, 1945, are not sufficient to enable you to meet your consumption requirements to May 15, 1945, you may contract to receive an additional amount of coal for delivery during the 1945 season of lake navigation to cover this deficiency.

If the coal you have on hand March 1, 1945, and shipments you have arranged to receive from all sources prior to May 15, 1945, exceed your requirements to May 15, 1945, you shall deduct the excess from the amount which you would otherwise be authorized to contract to receive during the 1945 season of lake navigation.

§ 602.605 *Amount of coal for which industrial consumers receiving coal ex-lake dock may contract.* If you are an industrial consumer receiving coal ex-lake dock, you are prohibited from contracting to receive, during the period May 15, 1945, to May 15, 1946, from all sources combined and by all methods of transportation, an amount of coal greater than your consumption requirements from May 15, 1945 to May 15, 1946.

Under SFAW Regulation No. 23, you are permitted to obtain enough coal to meet your consumption requirements to May 15, 1945. If your stock supply on March 1, 1945, and shipments you have arranged to receive from all sources to May 15, 1945, exceed your requirements during that period, you are required to deduct the excess from the amount which you would otherwise be authorized to contract to receive during the period May 15, 1945 to May 15, 1946.

§ 602.606 *Amount of coal which commercial lake dock operators may contract to receive*—(a) *Coal produced in Districts 2, 7 and 8.* If you are a commercial lake dock operator, you are prohibited from contracting to receive during the 1945 season of lake navigation, via the Great Lakes, directly or through a lake forwarder, an aggregate amount of coal produced in Districts 2, 7 and 8 greater than (1) 80 per cent of the tonnage of prepared sizes (lump and double screened coal) loaded at a lower lake port and consigned to you from all of those districts during the 1944 season of lake navigation, and (2) 100 per cent of the tonnage of other sizes purchased by you from all of those districts during the 1944 season of lake navigation.

(b) *Coal produced in Districts 1, 3, 4, 6, 9 and 10.* If you are a commercial lake dock operator, you are prohibited from contracting to receive during the 1945 season of lake navigation, via the Great Lakes, directly or through a lake forwarder, an aggregate amount of coal produced in Districts 1, 3, 4, 6, 9 and 10 greater than the amount of coal which you received from such districts during the 1944 season of lake navigation. However, if you are unable to make contracts providing for the receipt of the amount of coal from Districts 2, 7 and 8 for which you may contract under § 602.606 (a) above, you may contract to receive an additional amount of coal produced in Districts 1, 3, 4, 6, 9 and 10 equal to the tonnage produced in Districts 2, 7 and 8 for which you are unable to contract.

(c) *Quota adjustments.* It is the present plan of SFAW, so far as consistent with the coal supply, to arrange so that you will receive sufficient coal which, together with the inventory on your dock, will enable you (1) to ship to retail dealers during the next coal year 80 per cent of the amount of solid fuels furnished to

such dealers during the period April 1, 1943 to March 31, 1944, and (2) to meet your firm obligations to industrial consumers to the extent necessary to supply their consumption requirements to May 15, 1946.

To the extent that the limitations provided in § 602.606 (a) and (b) do not permit the accomplishment of these objectives, you may apply to SFAW on or before April 1, 1945 for a quota adjustment, setting forth all the pertinent facts in support thereof. To the extent that the authorizations for contracting in § 602.606 (a) and (b) result in permitting you to contract for more coal than you will need to meet these objectives, you are required to report such excess in writing to the Solid Fuels Administration, Washington 25, D. C. on or before April 1, 1945.

§ 602.607 *Amount of coal which lake forwarders may contract to receive.* If you are a lake forwarder, you are prohibited from contracting to receive, for sale and transshipment via the Great Lakes, an aggregate amount of coal greater than the total which you are permitted under this regulation to transship to such receivers.

§ 602.608 *Amount of coal which producers, wholesalers and lake forwarders may contract to ship to industrial consumers.* If you are a producer, wholesaler or lake forwarder, you are prohibited from contracting to ship via the Great Lakes to any industrial consumer more coal than he is permitted to receive under § 602.604 or § 602.605 above.

§ 602.609 *Amount of coal which producers, wholesalers and lake forwarders may contract to ship to dock operators—* (a) *From Districts 2, 7 and 8.* If you are a producer, wholesaler or lake forwarder of Districts 2, 7 and 8 coal, you are prohibited from contracting to ship via the Great Lakes to any commercial lake dock operator more coal than he is permitted to receive under § 602.606 (a) above. Moreover, if you are a producer or wholesaler, you shall not make contracts for an aggregate amount of coal, to be shipped to all commercial lake dock operators, which would prevent you from fulfilling your contract obligations for special purpose coal under SFAW Regulation No. 24, and which would prevent you from also shipping, during the 1945 season of lake navigation, 80 per cent of the amount of coal you shipped to all retail dealers receiving coal by rail, river or tidewater during the 1943 season of lake navigation.

NOTE: This provision is intended to assure that producers and wholesalers who ship coal via the Great Lakes will make arrangements to set aside an adequate reserve to meet their special purpose coal obligations and their contemplated obligations to retail dealers receiving coal by rail, river or tidewater. It is not intended to assure any individual retail dealer that he will receive during the 1945–1946 coal year any specific amount of coal. Allocations of coal to retail dealers will be governed by separate SFAW regulation.

(b) *From Districts 1, 3, 4, 6, 9 and 10.* If you are a producer, wholesaler or lake forwarder of Districts 1, 3, 4, 6, 9 and 10 coal, you are prohibited from contracting to ship via the Great Lakes to any commercial lake dock operator more coal than he is permitted to receive under § 602.606 (b) above. You may accept the written statement of a commercial lake dock operator, that he is unable to obtain his permitted quota of coal from Districts 2, 7 and 8, as justification for contracting to ship him, to the extent permitted in § 602.606 (b), more coal than he would otherwise be entitled to receive from your district.

§ 602.610 *Information required to be filed by receivers, lake forwarders, producers and industrial consumers.* (a) If you are a receiver, you shall file with Solid Fuels Administration for War, Washington 25, D. C., on or before February 20, 1945, two copies of Form SFA No. 162 and two copies of Form SFA No. 343 with respect to each district from which you receive coal, and with respect to each dock at which you receive coal.

(b) If you are a lake forwarder, you shall file with Solid Fuels Administration for War, Washington 25, D. C., on or before February 20, 1945, two copies of Form SFA No. 161 and two copies of Form SFA No. 344 with respect to each district from which you purchase coal.

(c) If you are a producer, you shall file with Solid Fuels Administration for War, Washington 25, D. C., on or before February 20, 1945, two copies of Form SFA No. 163 with respect to each mine, or group of mines, from which you will ship coal.

NOTE: Forms may be obtained from Mr. Milton Admer, Area Distribution Manager, 520 New York Life Building, 129 South 5th Street, Minneapolis, Minnesota, or from the Area Distribution Manager for the district in which the coal is produced, or from the Solid Fuels Administration for War, Washington 25, D. C.

(d) If you are an industrial consumer receiving coal ex-lake dock, you shall file with each of your regular suppliers (commercial lake dock operators), and with Mr. Milton Almer, Area Distribution Manager, 520 New York Life Building, 129 South 5th Street, Minneapolis, Minnesota, and with Solid Fuels Administration for War, Washington 25, D. C., on or before March 1, 1945, a statement showing

(1) The amount of coal you will have on hand March 1, 1945

(2) The amount of coal to be shipped to you by all commercial lake dock operators during the period March 1, 1945 to May 15, 1945

(3) The amount of coal to be shipped to you by shippers other than commercial lake dock operators during the period March 1, 1945 to May 15, 1945

(4) Your average daily consumption during the period March 1, 1945 to May 15, 1945

(5) Your estimated consumption requirements during the period May 15, 1945 to May 15, 1946, indicating size required

(6) The amount of coal you expect to receive from all commercial lake dock operators during the period May 15, 1945 to May 15, 1946

(7) The amount of coal you expect to receive from all sources other than commercial lake dock operators during the period May 15, 1945 to May 15, 1946, and

(8) The amount of coal you expect to receive during the period May 15, 1945 to May 15, 1946 from the commercial lake dock operator with whom you will file this information.

§ 602.611 *Shippers may rely on representations of purchasers.* Any person disposing of coal may rely upon any statement made by a purchaser pursuant to this regulation.

§ 602.612 *Damages for breach of contract.* No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this regulation.

§ 602.613 *Violations.* Any person who violates any provision of this regulation or who, by any statement or omission, certifies false or misleading information to the Solid Fuels Administration for War, or any person who obtains bituminous coal by means of a false or misleading statement, may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (a) of the Criminal Code (18 U.S.C. Sec. 80) or under the Second War Powers Act (Public No. 507, 77th Cong., March 27, 1942)

§ 602.614 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator or the General Counsel of SFAW. Inquiries and communications with reference to the meaning and application of this regulation may be addressed to the Solid Fuels Administration for War, Washington 25, D. C.

§ 602.615 *Applications for modification or exception.* Applications for modification of or exception from any provisions of this regulation shall be filed in duplicate with the Solid Fuels Administration for War, Washington 25, D. C. Applications shall set forth in detail the grounds for requesting relief and information supporting the request.

This regulation shall become effective immediately.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(E. O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 20th day of January 1945.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 45-1365; Filed, Jan. 22, 1945; 12:03 p. m.]

[SFAW Reg. 23, Amdt. 4]

PART 602—GENERAL ORDERS AND DIRECTIVES

DISTRIBUTION OF BITUMINOUS COAL PRODUCED IN U. S.

In order to clarify SFAW Regulation No. 23, as amended, it is hereby amended in the following respects:

1. The first paragraph of § 602.515 (9 F.R. 8119) is amended to read as follows:

§ 602.515 *Restrictions on receipts by industrial consumers of by-product and other special purpose coal.* If you are an industrial consumer using by-product or other special purpose coal, you are prohibited from receiving from all sources combined, during the period May 1, 1944 to May 15, 1945, by-product or other special purpose coal produced in Districts 1–4, inclusive, 6–11, inclusive, and 13 in excess of an amount representing the difference between your inventory of such coal as of May 1, 1944, and the amount of your consumption requirements for such coal for the period May 1, 1944 to May 15, 1945; *Provided, however* That your receipts of by-product or other special purpose coal during each month shall be governed by the provisions of § 602.517.

2. The title of § 602.517 is amended to read as follows:

§ 602.517 *Restrictions on receipts by industrial consumers of coal other than coal moving via the Great Lakes or ex-lake dock.*

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 22d day of January 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War

[F R. Doc. 45–1400; Filed, Jan. 23, 1945; 11:18 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–688]

CLAUSSEN ELECTRIC CO.

Ernest P Claussen, doing business as Claussen Electric Company, 1516 Blake Street, Denver, Colorado, is engaged in the business of selling electric motors and operating a repair shop. He violated CMP Regulation 9A by applying preference ratings of AA–2 in purchasing electric motors which he subsequently resold and did not use in his repair business. He violated Priority Regulation No. 1, § 944.15 by failing to keep complete and accurate records of his transactions in materials governed by War Production Board regulations and orders, and § 944.18 by extending preference rating AA–1 without authority, for the purchase of an electric motor. Mr. Claussen was familiar with CMP Regulation 9A and Priorities Regulation 1, at the time of the violations. These violations were the result of gross negligence on Mr. Claussen's part and they have diverted critical material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.688 *Suspension Order S–688.* (a) Ernest P. Claussen shall not for 2 months from the effective date of this order apply or extend any preference ratings in the purchase or acquisition of new electric motors for resale, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) Nothing contained in this order shall be deemed to relieve Ernest P Claussen, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Ernest P Claussen doing business as Claussen Electric Company or under any other name, his successors or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on January 22, 1945.

Issued this 12th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–1390; Filed, Jan. 22, 1945; 4:55 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–694]

STEPHEN MURCEK AND PAUL MURCEK

Stephen Murcek of 16 William Street, East Port Chester, Connecticut, holds the record title to a building on the west side of North Water Street, Greenwich, Connecticut, for his brother, Paul Murcek, also of 16 William Street, East Port Chester, Connecticut. On March 27, 1944, Stephen Murcek and Paul Murcek began and thereafter carried on construction consisting of the remodeling and conversion of the North Water Street structure into four four-room apartments, without authorization from the War Production Board. The estimated cost of this structure exceeded the $200 limit permitted by Conservation Order L–41 and was in violation of that order. Stephen Murcek and Paul Murcek were familiar with the provisions of Conservation Order L–41 and their actions constituted wilful violations thereof.

These violations have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.694 *Suspension Order S–694.* (a) Neither Paul Murcek, Stephen Murcek, their successors or assigns, nor any other person, shall do any construction on the premises on the west side of North Water Street, Greenwich, Connecticut, standing in the name of Stephen Murcek, including putting up or altering said structure unless hereafter specifically authorized in writing by the War Production Board and the Federal Housing Administration.

(b) Nothing contained in this order shall be deemed to relieve Stephen Murcek or Paul Murcek, their successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 22d day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R. Doc. 45–1391; Filed, Jan. 22, 1945; 4:55 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–696]

ALPHA CLUB—ALPHA RESTAURANT

On or about August 22, 1944, the Alpha Club, Philadelphia, Pennsylvania, through its secretary, Mr. William Fallon, filed in the name of the Alpha Restaurant a WPB–617 application for permission to do certain construction and repair work at an estimated cost of $900 on a building located at 1911 Chestnut Street, Philadelphia, Pennsylvania. This application contained false and misleading statements that the Alpha Restaurant was an existing restaurant and that the repair and construction work were essential to the war effort. On the basis of this application, the War Production Board authorized the Alpha Restaurant, as an existing restaurant, to do construction and repairs in the amount of $900.00 and authorized the use of an AA–3 preference rating for materials.

Between September 6 and November 6, 1944, the Alpha Club did construction on the building at 1911 Chestnut Street, Philadelphia, at a cost in excess of $1300 in violation of Conservation Order L–41, with which order its responsible officials were familiar.

On or about September 14, 1944, the Alpha Club filed two WPB–1319 applications for permission to obtain a new gas range, a broiler and a fryer costing $570.00 and one new Universal dishwasher at a cost of $595.00, for use in the building at 1911 Chestnut Street, Philadelphia. These applications were filed under the name of the non-existent Alpha Restaurant and contained false and misleading statements. On the basis of these false and misleading statements, the War Production Board authorized the purchase of the aforementioned equipment by the Alpha Restaurant.

This violation of Conservation Order L–41 and the making of false and misleading statements to the War Production Board were wilful; critical material has been diverted to uses not authorized

by the War Production Board and the war effort has been hampered and impeded. In view of the foregoing, it is hereby ordered, that:

§ 1010.696 *Suspension Order S-696.* (a) Neither the Alpha Club, its successors or assigns, nor any other person, shall do any construction on the premises at 1911 Chestnut Street, Philadelphia, Pennsylvania, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Authorizations No. 71870 and No. 71809 granted on form WPB-1319, issued on September 21, 1944, by the War Production Board, for a gas range, a broiler, a fryer and a Universal dishwasher, and authorization No. 3-1-3210 issued on August 31, 1944, on WPB form GA-1456, which authorized miscellaneous repairs and alterations and the erection of a fire escape in the amount of $900.00 for the building at 1911 Chestnut Street, Philadelphia, Pennsylvania, all of which authorizations were issued and granted to the Alpha Restaurant, are hereby cancelled and revoked and shall not be given any effect by any person.

(c) Nothing contained in this order shall be deemed to relieve the Alpha Club, its officers, successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 22d day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-1392; Filed, Jan. 22, 1945; 4:56 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-697]

PAPPY'S, INCORPORATED

Pappy's, Incorporated is a Florida corporation engaged in the restaurant and retail drug business in Miami Beach, Florida. In June, 1944, without the permission of the War Production Board, it began and continued construction on a building located at 2001 Collins Avenue, Miami Beach, Florida. The construction consisted of altering, remodeling and repairing the premises for use as a restaurant and drug store at a cost, at the time work was discontinued at the direction of the War Production Board, of $4244.00. The major portion of said sum was spent on altering and remodeling the premises in violation of Conservation Order L-41 and the sum so spent greatly exceeded the limits permitted in said order. The officers of the corporation had been advised of the limitations on such construction and the beginning and continuing of this construction by respondent constituted a violation of Conservation Order L-41 which was either wilful or the result of gross negligence.

This violation of Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.697 *Suspension Order S-697.* (a) Neither Pappy's Incorporated, its successors or assigns, nor any other person, shall do any construction on the restaurant or proposed drug store premises located at 2001 Collins Avenue, Miami Beach, Florida, including the putting up, completion or alteration of the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Pappy's, Incorporated, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 22d day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-1393; Filed, Jan. 22, 1945; 4:55 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-698]

HAWKINS HARDWARE CO.

Ralph Hawkins is an individual doing business as Hawkins Hardware Company in Hebron, Nebraska, and is engaged in the hardware business and in the sale and distribution of liquefied petroleum gas equipment and related products. In May, 1944, he installed two 1500 gallon propane gas storage tanks with pump, valves and certain other necessary attachments without the authorization required by Limitation Order L-86 and in violation of that order, and in making such installations he engaged in construction the cost of which was in excess of $200 and in violation of Conservation Order L-41 and in violation of Limitation Order L-86. These violations were wilful. He also sold four automatic gas water heaters in violation of General Limitation Order L-79.

These violations have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.698 *Suspension Order S-698.* (a) Neither Ralph Hawkins, his successors or assigns, nor any other person shall do any construction on the premises of Ralph Hawkins at 1st Street and Lincoln Avenue, Hebron, Nebraska, including putting up or altering the structure and including the installation or connection of any liquefied petroleum gas equipment as defined in or governed by Limitation Order L-86 as amended from time to time, unless hereafter specifically authorized in writing by the War Production Board.

(b) Ralph Hawkins, his successors and assigns, shall not complete the installation of or put into operation either or both of the two 1500 gallon propane gas storage tanks on premises at 1st Street and Lincoln Avenue, Hebron, Nebraska, unless hereafter specifically authorized in writing by the War Production Board.

(c) The restrictions and prohibitions contained herein shall apply to Ralph Hawkins doing business as Hawkins Hardware Company or under any other name, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 22d day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-1334; Filed, Jan. 22, 1945; 4:56 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-613, Reinstatement]

BARRY & ZETZEL SHOE CO.

Maurice Barry and Samuel Zetzel, d/b/a Barry & Zetzel Shoe Company, 11 Liberty Square, Lynn, Massachusetts, manufacturers of civilian footwear was suspended on September 2, 1944 by Suspension Order No. S-613. A stay of the provisions of the order, pending final determination of the appeal or until further order by the Chief Compliance commissioner or his Deputy, was granted on November 11, 1944. An appeal was filed on November 30, 1944. The appeal has been considered by the Chief Compliance Commissioner who dismissed the appeal, vacated the stay and reinstated the order.

In view of the foregoing:

It is hereby ordered, that: § 1010.613 *Suspension Order No. S-613* issued September 2, 1944, be and hereby is reinstated; and the stay of execution thereof be and hereby is vacated. This order shall take effect on January 23, 1945.

Issued this 13th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-1410; Filed, Jan. 23, 1945; 11:41 a. m.]

PART 3231—PULP AND PAPER

[General Conservation Order M-241-a, Direction 1]

"CONDENSER TISSUE" AND "SANITARY FOOD CONTAINER STOCK"

The following direction is issued pursuant to Conservation Order M-199:

Any person who has been authorized on Form WPB-3630 to accept delivery of "condenser tissue" and gives his producer of "condenser tissue" a written statement as prescribed by paragraph (c) of Appendix A to Order M-241 or any person who has been authorized on Form GA-1959 to accept delivery of "sanitary food container stock" and gives his producer of "sanitary food container stock" the statement prescribed in paragraph (c) (2) of Appendix B to Order

M-241 need not give his supplier the certificate prescribed in paragraph (i) of Order M-241-a to get "condenser tissue" or "sanitary food container stock" Persons authorized by the War Production Board to receive "condenser tissue" or "sanitary food container stock" are subject to the inventory provisions of paragraph (e) (1) of Order M-241 and not the inventory provisions of paragraph (h) of Order M-241-a.

Issued this 23d day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R. Doc. 45-1407; Filed, Jan. 23, 1945; 11:41 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[Conservation Order M-199, Direction 3]

REMOVAL OF DISTINCTION BETWEEN TREASURY SILVER AND DOMESTIC SILVER

The following direction is issued pursuant to Conservation Order M-199.

In view of the legislative history of Public Law No. 519, 78th Congress, approved December 20, 1944, amending the Act entitled "An Act to authorize the use for war purposes of silver held or owned by the United States" (Public Law No. 137, 78th Congress), the use distinctions which are now made in Order M-199 between Treasury silver and domestic silver are no longer necessary.

Beginning January 23, 1945, a manufacturer may purchase, accept delivery of, put into process and process Treasury silver for any use for which domestic silver is permitted; and a manufacturer may purchase, accept delivery of, put into process and process domestic silver for any use for which Treasury silver is permitted. The quota limitations of paragraphs (g) and (h) shall apply to the aggregate amount of silver which a manufacturer may purchase, accept delivery of, or put into process, regardless of whether the silver involved is entirely domestic, entirely Treasury, or part domestic and part Treasury.

Issued this 23d day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R. Doc. 45-1407; Filed, Jan. 23, 1945; 11:41 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 71, as Amended Jan. 23, 1945]

ETHYL ALCOHOL

§ 3293.1071 *Schedule 71 to General Allocation Order M-300*—(a) *Definitions.* For the purpose of this schedule:

(1) "Ethyl alcohol" means the product of that name, from whatever source derived. The term includes mixtures of ethyl alcohol and denaturants, including the product known as "proprietary solvent." The term does not include ethyl alcohol which has been tax paid for beverage purposes.

(2) "Anti-freeze" means any mixture containing ethyl alcohol, which mixture is designed and intended for use, without further processing, to depress the freezing point of coolant water in internal combustion engines.

(3) "Producer" means any person engaged in the production of ethyl alcohol under an industrial alcohol permit issued by the Bureau of Internal Revenue and includes any importer and any person who has ethyl alcohol produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases ethyl alcohol for purposes of resale.

(5) "Supplier" means a producer or a distributor, as defined in this schedule. This definition of supplier is different from the term as defined and used in the text of Order M-300 and the other schedules under M-300. This definition governs with respect to ethyl alcohol.

(b) *General provisions.* Ethyl alcohol is subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is October 1, 1943 when ethyl alcohol first became subject to allocation under Order M-30. As of midnight, December 31, 1944, Order M-30 will be revoked. Beginning January 1, 1945, the allocation period under this schedule is the calendar month, which represents a different period than that covered by allocations under Order M-30.

(1) Beginning January 1, 1945, the small order exemption per person per month is 54 gallons regardless of the type of ethyl alcohol involved. This includes proprietary solvents.

(2) Persons ordering more than the small order exemption, but not more than 3500 gallons from all suppliers, for delivery in any calendar month, must furnish their suppliers with the use certificate referred to in paragraph (h) of this schedule. There is one exception to this rule however. Distributors operating under paragraph (f) (1) of this schedule must furnish their suppliers with the distributor's certificate referred to in paragraph (i) of this schedule.

(3) Persons ordering more than 3500 gallons in the aggregate from all suppliers, for delivery in any calendar month, must obtain authorization in the way described in paragraph (g) of this schedule.

(4) Suppliers must apply for authorization on Form WPB-2947 before making any deliveries. However, distributors operating under paragraphs (f) (1) and (2) of this schedule are exempt from the filing of Form WPB-2947.

(c) *Transition to M-300.* Regular and interim allocations of ethyl alcohol issued under Order M-30, are effective until midnight, December 31, 1944. Applications for permission to deliver, accept delivery of or use ethyl alcohol on and after January 1, 1945, shall be filed in accordance with instructions in paragraphs (e) and (g) of this schedule.

(d) *Special provisions*—(1) *Tax payment, and deliveries in bond, for beverage purposes.* Any person may tax pay for beverage purposes, and any producer may deliver in bond, to any person authorized under the rules and regulations of the Bureau of Internal Revenue to receive ethyl alcohol in bond for the purpose of tax paying the same for beverage purposes, such quantity of ethyl alcohol as is authorized by War Production Board pursuant to application of the original producer, made by letter addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C.

(2) *Acceptance of delivery in bond for beverage purposes.* Any person may accept delivery of ethyl alcohol in bond for the purpose of tax paying the same for beverage purposes if that person is authorized to do so under the rules and regulations of the Bureau of Internal Revenue.

(3) *Transactions outside the United States.* This order does not apply to deliveries of ethyl alcohol which are both made and received outside of the forty-eight states and the District of Columbia, or to the use of ethyl alcohol outside such states and District.

(4) *Restrictions on rubbing alcohol.* No person shall deliver ethyl alcohol or any compound or preparation containing ethyl alcohol for use as rubbing alcohol or for the manufacture of any rubbing alcohol compound or preparation, except to:

(i) A hospital or scientific institution holding a permit issued by the Bureau of Internal Revenue permitting it to receive undenatured alcohol tax free;

(ii) Licensed physicians, dentists and veterinarians;

(iii) Holders of written prescriptions or orders of licensed physicians, dentists or veterinarians;

(iv) Wholesale or retail druggists for resale only to the persons described in subdivisions (i) to (iv), inclusive, of this paragraph (d) (4)

(v) Manufacturers of rubbing alcohol compound or preparation, or packagers or bottlers of any such compound or preparation for resale only to the persons described in subdivisions (i) to (iv), inclusive, above.

(5) *Manufacture and distribution of anti-freeze.* (i) Effective midnight, December 31, 1944, Order L-51 will be revoked. All authorizations issued on Form WPB-1069 pursuant to Order L-51 to manufacture anti-freeze, remain effective until March 31, 1945. All directives to deliver anti-freeze, issued pursuant to Order L-51 remain effective until March 31, 1945, unless otherwise directed pursuant to paragraph (d) (5) (ii) of this schedule.

(ii) War Production Board may from time to time issue special directives concerning the distribution or delivery of anti-freeze. It will be the policy of the War Production Board to obtain an equitable distribution of the available supply of anti-freeze. In issuing these special directives, the War Production Board will take into account vehicle registrations and weather conditions throughout the United States.

(6) *Supplier's notification to consumers.* In the event a supplier does not deliver the entire quantity of alcohol called for on a purchase order accompanied by a certificate specifying more than one end use, the supplier shall notify the purchaser in writing (either on the invoice or otherwise) what portion of the total amount of alcohol delivered

to the purchaser may be used or resold (in case the purchaser is a distributor) for each end use appearing on the purchaser's certificate.

(e) *Suppliers' applications on WPB–2947.* Each supplier seeking authorization to deliver shall file application on Form WPB–2947 (formerly PD–602) Filing date is the 15th day of the month before the month in which delivery is proposed to be made. Send four copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–71. The unit of measure is gallons. In Column 1 list the names and delivery destination of customers who have filed WPB–2945 forms with the applicant and in Column 1–a specify "WPB–2945" Fill in Columns 4 and 5–a as indicated and in Column 7 indicate grade and type of alcohol. Next in order, specify proposed deliveries of ethyl alcohol against purchase orders accompanied by end use certificates. The various end uses are set forth below in this paragraph (e) under headings entitled "Group A, B, C" etc. If purchase orders have been received for any end uses listed in Group A, specify "Group A" in the middle of the page and in Column 1 list the end uses appearing in Group A for which you have received purchase orders and opposite each specified end use, report in Column 4 the total quantity requested for that end use. Fill in Column 5a as indicated, and in Column 7 indicate grade and type of alcohol. Purchase orders received for end uses falling in Groups B, C, D, E, F G, and H need not be broken down in the same detailed manner as those falling in Group A. Thus, for example, if purchase orders have been received for one or more end uses falling within Group B, specify in Column 1 "Group B" and opposite it in Column 4 report the total quantity of ethyl alcohol for which purchase orders accompanied by certificates have been received for all the various end uses falling within Group B. Fill in Column 5-a as indicated, and in Column 7 indicate grade and type of alcohol. The same lump sum reporting method should be used for purchase orders accompanied by certificates covering end uses in the remaining groups C through H. This reporting method for Groups A to H, inclusive, refers only to purchase orders (accompanied by certificates) of customers ordering between 54 and 3500 gallons for delivery in any calendar month.

NOTE: Shellac and shellac substitutes moved from Group A to added Group H, Jan. 23, 1945.

Group A:
- Adhesives
- Agricultural poisons
- Brake fluids
- Cutting oils
- Drugs and pharmaceuticals (not including rubbing alcohol or products specifically listed in Group C or D)
- Embalming fluids
- Food products (except candy glazes, pectin and vinegar)
- Laboratory and experimental
- Paint and varnish removers
- Photographic materials (including photo engraving)

Group A—Continued.
- All other products not listed above, or not classified in Groups B to H, inclusive, should be separately listed and the total quantity requested for each product should be reported in Column 4.

Group B:
- Candy glazes
- Cleaning and polishing preparations (including shoe and floor polishes)
- Deodorant sprays (non-body)
- Tooth cleaning preparations
- Witch hazel
- All toiletries and cosmetics including but not limited to:
  - Bay rum
  - Body deodorants
  - Face and hand creams and lotions
  - Hair and scalp preparations
  - Perfume and perfume materials, tinctures and fixatives
  - Shampoos
  - Toilet soaps (including shaving cream)
  - Toilet waters

Group C:
- Antiseptics for oral uses (including Antiseptic Solution N. F.)
- Mouth washes

Group D:
- Acetaldehyde
- Butadiene
- Basic medicinal chemicals not in compounded form
- Biological preparations
- Dyes and intermediates (manufacture of)
- Ethers
- Ethyl acetate
- Ethyl chloride
- Other ethyl esters
- Ethylene dibromide
- Ethylene gas
- Ethylene oxide
- Explosives (military and industrial)
- Flotation reagents
- Fulminate of mercury
- Glycols
- Hydrosulfites
- Nitrocellulose (dehydration)
- Pectin
- Plastics and synthetic resins (manufacture of)
- Styrene
- Xanthates

Group E:
- Flavoring extracts
- Vinegar

Group F:
- Rubbing alcohol compound or preparation

Group G:
- Hospital and scientific institutions holding Bureau of Internal Revenue permits to acquire undenatured alcohol tax free.

Group H:
- Shellac and shellac substitutes.

Next in order, specify in Column 1 "aggregate small order deliveries" Leave Column 1-a blank, but fill in Columns 4 and 5-a as indicated, and in Column 7 specify grade and type of alcohol. Fill in Table II.

(f) *Special exemption for certain distributors from filing Form WPB–2947.* (1) Each distributor ordering for resale between 54 and 3500 gallons per month of proprietary solvent, completely denatured, or pure alcohol, in the aggregate from all suppliers, may resell such alcohol without obtaining War Production Board permission on Form WPB–2947 if he furnishes his suppliers with a certificate in the form prescribed in Appendix D of Order M–300, stating (a) that the alcohol is to be resold and, (b) the groups of end uses for which it will be resold and the quantity for each group of end uses. These groups of end uses are those listed in paragraph (e) of this schedule. It is not necessary to break down quantities by end uses appearing in any group. Merely specify "Group A end uses" "Group B end uses" etc., whichever is the case. This certificate may be based upon actual certified purchase orders on hand from customers of the distributor, or upon anticipated purchase orders. In the event that the distributor's certificate specifies more than one end use group and the supplier delivers the entire quantity of alcohol called for on the distributor's order, the distributor shall not resell such alcohol for any other end use groups than those appearing on his certificate, nor shall he resell a greater quantity for a particular group than that appearing on his certificate opposite that group. In the event that the distributor's certificate specifies more than one end use group and his supplier does not deliver the entire quantity of alcohol called for on his purchase order, the distributor shall not resell a greater quantity for a particular group than the supplier notifies him is being delivered to him for resale for that group.

(2) Each distributor ordering for resale between 3500 and 3888 gallons (minimum drum carload) per month of proprietary solvent, completely denatured or pure alcohol, in the aggregate from all suppliers, may resell such alcohol without obtaining War Production Board authorization on Form WPB–2947, provided he reports on his Form WPB–2945 (which he must file in order to get that quantity of alcohol) the end use group or groups for which the alcohol will be resold and the quantities for each group. For example, in filling out Form WPB–2945, specify in Column 1 the grade (viz. proprietary solvent, completely denatured or pure), in Column 2 the quantity, in Column 3 specify "resale" and in Column 4 specify the particular group or groups of end uses (appearing in paragraph (e) of this schedule) for which that quantity will be resold. It is not necessary to break down quantities by end uses appearing in any group. Merely specify "Group A end uses" "Group B end uses" etc., whichever is the case.

NOTE: Paragraph (g) formerly (f) redesignated Jan. 23, 1945.

(g) *Customers' applications on WPB–2945.* Each person seeking delivery of more than 3500 gallons of ethyl alcohol per month in the aggregate from all suppliers, or seeking specific authorizations to use more than 3500 gallons of ethyl alcohol, shall file application for authorization on Form WPB–2945 (formerly PD–600). Filing date is the 5th day of the month preceding the month for which allocation is requested. Separate sets of forms shall be filed for each sup-

plier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-71, and one copy (reverse side blank) to the supplier. The unit of measure is gallons. Fill in Column 3 in terms of the following:

Acetaldehyde
Acetic acid (except vinegar for food use)
Adhesives
Agricultural poisons
Anti-freeze by states (see instructions below for filling in Column 4)
Antiseptics for oral uses
Basic medicinal chemicals not in compounded form
Biological preparations
Brake fluids
Butadiene
Candy glazes
Cleaning and polishing preparations (specify)
Cutting oils
Deodorant sprays (non-body)
Diethylamine
Drugs and pharmaceuticals (other than rubbing alcohol and other products elsewhere in this paragraph specifically listed)
Dyes and intermediates (manufacture of)
Embalming fluids
Ethers
Ethyl acetate
Ethyl chloride
Other ethyl esters
Ethylene dibromide
Ethylene gas
Ethylene oxide
Explosives (specify whether military or industrial)
Flavoring extracts
Flotation reagents
Food products (except candy glazes, pectin and vinegar)
Fulminate of mercury
Glycols
Hydrosulfites
Laboratory and experimental
Mouth washes (other than antiseptics)
Nitrocellulose (dehydration)
Nitrocellulose (dissolving and as a diluent)
Pectin
Photographic materials (including photo engraving)
Rubbing alcohol compounds
Shellac, natural or substitute
Styrene
Synthetic plastics and synthetic resins (manufacture of)
Toiletries and cosmetics (specify)
Tooth cleaning preparations
Vinegar
Witch hazel
Xanthates
Other products (specify)
Resale (as ethyl alcohol)
Inventory (as ethyl alcohol)

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300.

Tables II and III should be completed. In Table III list all other proposed purchases on any supplier, including purchase orders accompanied by certifications, as well as those purchases for which authorization has been applied for on Form WPB-2945. Tables IV and V need not be filled in. If "Anti-freeze by states" is specified in Column 3, list in Column 4 the states where the anti-freeze will be distributed, and opposite each state the quantity proposed to be distributed in each state.

(g) [Deleted Jan. 23, 1945.]

(h) *Use certificate.* Each person (other than a distributor operating under paragraph (f) (1) of this schedule) ordering between 54 and 3500 gallons of ethyl alcohol per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use. Specify proposed use in terms of the applicable specific end use in the various end use groups set forth in paragraph (e) of this schedule, and certify in the form prescribed in Appendix D of Order M-300. Do not specify end use in terms of Groups, viz. "Group A" "Group B" etc.

(i) *Distributor's certificate in place of WPB-2947.* Each distributor who orders between 54 and 3500 gallons of proprietary solvent, completely denatured or pure alcohol per month, in the aggregate from all suppliers, and who is operating under paragraph (f) (1) of this schedule, shall furnish each supplier with a certified statement of the proposed end use group or groups for which such alcohol will be resold, and the quantity for each group. The manner in which this distributor's certificate should be filled out is described in paragraph (f) (1) of this schedule.

(j) *Reports.* All producers shall file on or before the 2d day of each calendar month one copy of Form WPB-1533 with the Chemicals Bureau, War Production Board.

(k) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-71.

Issued this 23d day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-1409; Filed, Jan. 23, 1945; 11:41 a. m.]

Chapter XI—Office of Price Administration

PART 1302—ALUMINUM

[MPR 2,[1] Amdt. 8]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 2 is amended in the following respects:

1. Section 3 is amended to read as follows:

SEC. 3. *Toll or conversion agreements.* The maximum prices herein established shall have no application to the sale, delivery or transfer of aluminum scrap by the maker of such scrap to any person pursuant to a written agreement whereby such person agrees to smelt, remelt, fabricate, bale, briquette or otherwise process such scrap and return to the maker thereof processed material containing an amount of metal approximately equivalent to that contained in the scrap sold, delivered or transferred: *Provided,* That the conversion or processing of aluminum scrap pursuant to such an agreement shall be deemed to be a service and the price charged for converting any lot of scrap shall not exceed the difference between the maximum price of the lot of processed material redelivered by the processor and the maximum price of the lot of scrap delivered to him for conversion: *Provided, however* That in the case of the conversion of plant scrap solids into any ingot the maximum price of which is subject to this regulation, the scrap delivered shall be figured at 9 cents per pound in place of the maximum price established by this regulation.

The maximum charge for converting any lot of scrap includes:

(a) The melting loss

(b) The transportation charges on such scrap

(c) The transportation charges on the processed and redelivered material as provided by the maximum price regulation applicable to such material.

When aluminum scrap is baled or briquetted on a toll basis, the maximum charges shall be:

For baling ½ cent per pound
For briquetting 1 cent per pound

Charges for transportation, storage, containers or other additional services may be added to the established maximum prices for baling or briquetting: *Provided, however* That the maximum charge for any such additional service shall not exceed the highest price charged for the same service supplied or offered for supply in March 1942 by the processor or the same service supplied by his closest competitor during that month. If a maximum charge for any such additional service cannot be established on this basis, application for approval of a proposed maximum charge must be made in accordance with the provisions of Revised Maximum Price Regulation No. 165.

2. Section 14 (c) is amended to read as follows:

(c) *Maximum prices for sales of certain reusable aluminum scrap:*

Butt ends, sheet ends and similar aluminum scrap materials which are segregated to meet the buyer's specifications, are suitable for further use in their existing condition without remelting and are sold for such use * * * 18 cents per pound, f. o. b. point of shipment.

Any person who owns a lot of such scrap which he considers worth more than 18 cents per pound may file an application for approval of a higher maximum price for such scrap. Such application shall be filed in writing with the Non-Ferrous Metals Branch, Office of

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8495, 9330, 10899, 16982; 9 F.R. 5587, 7703, 14287.

Price Administration, Washington, D. C., and shall state:

(1) The nature of the seller's business;
(2) The name and address of the purchaser;
(3) The quantity of material to be sold;
(4) The buyer's exact specifications and the purpose for which the material is desired; and
(5) The manner in which the suggested maximum price was determined.

When a maximum price is submitted for approval in this manner, it shall be deemed to be approved unless the Administrator specifically disapproves such price within fifteen days from the date on which receipt of the request for approval is acknowledged. The maximum price for such scrap when once approved shall be the maximum price for all subsequent sales of such scrap by the seller to whom such approval is given unless such approval is specifically withdrawn.

This paragraph (c) shall not be applicable to any sale or delivery to a consumer of aluminum scrap as defined in section 13 (a) (4)

This amendment shall become effective January 29, 1945.

Issued this 23d day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-1413; Filed, Jan. 23, 1945; 11:53 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 530, Corr. to Amdt. 4[1]]

IMPORT PRICES FOR PULPWOOD PRODUCED IN THE PROVINCES OF QUEBEC, NEW BRUNSWICK AND NOVA SCOTIA IN THE DOMINION OF CANADA

In section 9 (d) (2) (ii) (*e*) the date January 13, 1945, is inserted after the phrase "on or before"

Issued this 23d day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-1416; Filed, Jan. 23, 1945; 11:53 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 1 to Supp. 9[2]]

DRIED FRUITS, 1944 AND LATER CROPS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Supplement 9 to Food Products Regulation No. 1 is amended in the following respect:

Section 9 (a) is amended to read as follows:

(a) Restrictions on sales to primary distributors (Section 3.1 of FPR 1) For the purposes of this supplement, the quota of each processor shall be figured and applied on the basis of his sales of dried fruit generally, instead of each separate item.

This amendment shall become effective January 29, 1945.

Issued this 23d day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-1415; Filed, Jan. 23, 1945; 11:53 a. m.]

PART 1363—FEEDING STUFFS

[RMPR 173, Amdt. 3]

WHEAT MILL FEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6 of Revised Maximum Price Regulation 173 is amended to read as follows:

SEC. 6. *Special rules relating to sales and deliveries.* Notwithstanding anything to the contrary provided in this regulation, any person may sell and deliver, and any person may buy and receive delivery of, wheat mill feeds at any point within the several states of the United States or the District of Columbia at the maximum delivered price at that point as computed under the appropriate provisions of this regulation. The buyer may have such wheat mill feeds shipped to any other point at his own expense, although the price paid at the first point plus the transportation cost to the second point may exceed the maximum delivered price at the second point as computed under the appropriate provisions of this regulation: *Provided*, That if such wheat mill feeds are resold, the maximum price on such resale shall be limited to the maximum delivered price at the point where delivery is made to the person to whom it is resold.

The seller may act as the buyer's agent in procuring transportation to the second point. If the seller prepays the freight for the account of the buyer, the transportation cost actually incurred shall be stated separately on the invoice.

For the purposes of this section, "delivery" shall be deemed to have taken place when the wheat mill feeds are physically located at the first point and when (1) there has been a physical transfer of possession to the buyer or his agent by the seller, or (2) the wheat mill feeds are held by a common carrier, not controlled by the seller, for transportation to the buyer (whether or not the seller retains title or control under an order bill of lading), or (3) there has been a constructive transfer of possession to the buyer by the delivery to him of a warehouse receipt, bill of lading or other document of title.

This amendment shall become effective January 29, 1945.

Issued this 23d day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-1417; Filed, Jan. 23, 1945; 11:54 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[3] Amdt. 37]

MAXIMUM PRICES IN VIRGIN ISLANDS OF THE UNITED STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 395 is amended in the following respects:

1. Section 20, Table VII is amended by changing Item 3 to read as follows:

TABLE VII—MAXIMUM RETAIL PRICES FOR CERTAIN CANNED FISH AND FISH PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Item 3 Pilchards, natural.	No. 1 tall	$0.12	$0.13	$0.14

2. Section 21, Table VIII is amended to read as follows:

TABLE VIII—MAXIMUM RETAIL PRICES FOR CERTAIN FRESH AND DRIED FRUIT AND VEGETABLE PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Imported dried red kidney beans and imported dried lima beans	1 lb	$0.09	$0.09	$0.10
All other imported dried beans, including garbanzos (chickpeas), all grades	1 lb	.08	.08	.09

3. Section 23, Table XI is amended by changing Item 1 to read as follows:

TABLE XI—MAXIMUM RETAIL PRICES FOR CERTAIN TYPES OF LAUNDRY AND TOILET SOAP

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Item 1 Soap, laundry (bar).	1 lb.[1]	$0.10	$0.11	$0.11

[1] Adjusted for shrinkage only.

This amendment shall become effective January 29, 1945.

Issued this 23d day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-1414; Filed, Jan. 23, 1945; 11:53 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Dir. 29]

PART 4003—SUBSIDIES; SUPPORT PRICES

1945 WEST COAST CANE REFINER PROGRAM

The War Food Administrator has, by letter dated January 16, 1945, recommended certain measures for the as-

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7330, 13583.

[2] 9 F.R. 11794.

[3] 9 F.R. 8815, 9513, 9907, 10425, 11003, 13264, 14436; 10 F.R. 485.

sistance of the West Coast cane sugar refiners because of unusual wartime conditions. These measures include the absorption by Commodity Credit Corporation of a portion of certain overtime costs and certain other extra costs where vessels are ordered to other than refinery wharves, as well as the continued absorption by the Corporation of a portion of the abnormal marine transportation and insurance costs with respect to raw sugar.

I hereby find that the measures proposed to me by the War Food Administrator are necessary to effectuate the policy established by Executive Orders 9250 and 9328 and specifically to insure the maximum necessary production and distribution of refined cane sugar to meet military, lend-lease, and civilian requirements.

Accordingly, the War Food Administration is hereby authorized and directed to carry out through the Commodity Credit Corporation the measures described in the War Food Administrator's letter and the memorandum enclosed therewith.

(E.O. 9250 and E.O. 9328)

Effective date: January 20, 1945.

Issued this 20th day of January 1945.

FRED M. VINSON,
Economic Stabilization Director

[F. R. Doc. 45-1372; Filed, Jan. 22, 1945; 2:16 p. m.]

[Dir. 13, Amdt. 1]

PART 4004—PRICE STABILIZATION: MAXIMUM PRICES

CANNED VEGETABLES, 1944

On December 27, 1944, the War Food Administrator submitted to me certain information and the recommendation that the subsidy on canned products processed from the four major vegetables, authorized and directed by Directive 13 issued by this office on October 7, 1944, likewise be paid on the use of canned tomato paste or canned tomato puree by the canner thereof in the production of any other canned food product also actually produced by him. On January 17, 1945, the Price Administrator concurred in the recommendation of the War Food Administrator.

1. I hereby find that the payment of the subsidy on the use of canned tomato paste or canned tomato puree by the canner thereof in the production of any other canned food product also actually produced by him will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, by correcting gross inequities.

2. Paragraph 3 (c) of Directive 13 issued October 7, 1944, is amended to read as follows:

(c) To subsidize sales to purchasers other than government procurement agencies of canned tomato soup, canned green pea soup and canned tomato catsup, tomato paste, tomato puree, tomato sauces, tomato juice contained in mixed vegetable juices, and tomato cocktail, by continuing to absorb the increases by area between the average prices paid in 1942 and the 1944 grower support prices for processing for tomatoes and green peas used in producing these commodities. The subsidy is to be paid, in addition to the foregoing, on the use of canned tomato paste and canned tomato puree as hereinafter specified. The use of canned tomato paste or canned tomato puree by the canner thereof in the production of any other canned food product also produced by him shall be deemed to be "sales to purchasers other than government procurement agencies" within the meaning of this paragraph (c) and the subsidy shall apply to such sales only with respect to the quantity of such other canned food product actually produced by him.

(EO 9250 and EO 9328)

Effective date: January 20, 1945.

Issued this 20th day of January 1945.

FRED M. VINSON,
Economic Stabilization Director

[F R. Doc. 45-1371; Filed, Jan. 22, 1945; 2:16 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Appendix A—Waivers of Navigation and Vessel Inspection Laws and Regulations

INSPECTION OF AUXILIARY BOILERS TO BE INSTALLED ON CERTAIN U. S. MARITIME COMMISSION VESSELS

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979) waived compliance with the Navigation and Vessel Inspection Laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, U. S. Coast Guard, shall find to be necessary in the conduct of the war; and

The United States Maritime Commission having indicated that the efficient prosecution of the war would be impeded by the application of certain inspection regulations in 46 CFR requiring the approval of auxiliary boilers on U. S. Maritime Commission vessels, Designs C1-M-AV1 and R1-M-AV3;

Now, therefore, upon request of the U. S. Maritime Commission, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the Navigation and Inspection Laws and the regulations promulgated thereunder administered by the U. S. Coast Guard to the extent necessary to permit the acceptance of auxiliary boilers, notwithstanding the fact that the safety devices used in effecting automatic operation of the aforesaid installations have not been approved, on U. S. Maritime Commission vessels; Designs C1-M-AV1 and R1-M-AV3.

Dated: January 22, 1945.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

[F. R. Doc. 45-1411; Filed, Jan. 23, 1945; 11:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter D—Freight Forwarders

PART 405—SURETY BONDS AND POLICIES OF INSURANCE

CHANGE IN EFFECTIVE DATE

In the matter of security for protection of the public as provided in Part IV of the Interstate Commerce Act, and of rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by freight forwarders subject to Part IV of the act.

Upon consideration of the petition of Freight Forwarders Institute, and good cause appearing:

It is ordered, That

The order entered in the said proceeding on October 11, 1944, (§§ 405.1-405.11, 9 F.R. 14548) to become effective on February 1, 1945, is hereby modified so as to become effective on April 2, 1945.

Service of this order shall be made by mailing a copy thereof to all freight forwarders subject to part IV of the Interstate Commerce Act, and by posting one copy in the office of the Secretary of this Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Dated at Washington, D. C., this 20th day of January, A. D. 1945.

By the Commission, Commissioner Lee.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 45-1401; Filed, Jan. 23, 1945; 11:31 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1945 Dept. Circ. 763]

⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES A-1946

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series A-1946, in exchange for ⅞ percent Treasury Certificates of Indebtedness of Series A-1945, maturing February 1, 1945, or 1⅛ percent Commodity Credit Corporation Notes of Series G, maturing February 15, 1945. The amount of the offering under this circular will be limited to the amount of such Series A-1945 certificates and Series G notes tendered and accepted.

II. *Description of certificates.* 1. The certificates will be dated February 1, 1945, and will bear interest from that date at the rate of ⅞ percent per annum, payable semiannually on August 1, 1945, and February 1, 1946. They will mature Feb-

ruary 1, 1946, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before February 1, 1945, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series A–1945, maturing February 1, 1945, or in Commodity Credit Corporation Notes of Series G, maturing February 15, 1945, which will be accepted at par, and should accompany the subscription. Coupons dated February 15, 1945, must be attached to the Series G notes when surrendered, and accrued interest from August 15, 1944, to February 1, 1945 ($5.19701 per $1,000) will be paid following acceptance of the notes.

V *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 45-1381; Filed, Jan. 22, 1945; 3:38 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-89]

ACCIDENT OCCURRING AT PORT OF SPAIN, TRINIDAD

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 14716, which occurred at Port of Spain, Trinidad, on January 8, 1945.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said Act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Monday, January 29, 1945, at 9:30 a. m. (e. w. t.) in the Court Room, County Court House, Miami, Florida.

Dated at Washington, D. C., January 22, 1945.

[SEAL] W. K. ANDREWS,
Presiding Officer

[F R. Doc. 45-1397; Filed, Jan. 23, 1945; 10:41 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO THE VARIOUS CLASSES OF NON-GOVERNMENTAL SERVICES IN THE RADIO SPECTRUM FROM 10 KILOCYCLES TO 30,000,000 KILOCYCLES

ORDER ADOPTING ALLOCATIONS REPORT

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of January 1945,

Whereas, the Commission has this day approved and issued a "Report of Proposed Allocations from 25,000 Kilocycles to 30,000,000 Kilocycles" and a second report containing proposed allocations from 10 kilocycles to 25,000 kilocycles will be issued as soon as possible; and

Whereas, the Commission is of the opinion that public interest would be served by giving all interested persons an opportunity to appear before the Commission at an early date and argue why the Commission should order allocations different from those set forth in the "Report of Proposed Allocations from 25,000 Kilocycles to 30,000,000 Kilocycles" or otherwise to object to said report;

Now, therefore, *it is ordered,* This 15th day of January 1945, that all persons desiring an opportunity to appear before the Commission and to argue why the Commission should order allocations different from those set forth in the "Report of Proposed Allocations from 25,000 Kilocycles to 30,000,000 Kilocycles" or otherwise object to said report, should file a written request with the Commission on or before January 29, 1945. If any such requests are filed, oral argument will be held before the Commission en banc, beginning February 14, 1945 at 10:30 a. m. All persons who have filed a request to be heard in such oral argument shall file with the Commission on or before February 9, 1945, twenty-five copies of a brief. As early before the date of the oral argument as possible, the Commission will issue a notice setting forth the order in which persons may be heard and the length of time to be allotted for argument.

It is further ordered, That copies of the "Report of Proposed Allocations from 25,000 Kilocycles to 30,000,000 Kilocycles" shall be sent to all persons who appeared in the above proceedings, to the Interdepartment Radio Advisory Committee, and to the Department of State.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION.
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-1396; Filed, Jan. 23, 1945; 10:06 a. m.]

[Docket No. 6593]

INVESTIGATION OF ESTABLISHMENT AND USE OF RADIOCOMMUNICATIONS SYSTEMS IN RAILROAD OPERATIONS

ORDER ADOPTING ALLOCATIONS REPORT

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of January, 1945,

Whereas, the Commission has this day approved and issued, in its docket proceeding 6651 entitled "In the Matter of Allocation of Frequencies to the Various Classes of Non-governmental Services in the Radio's Spectrum from 10 Kilocycles to 30,000,000 Kilocycles." a "report of proposed allocations from 25,000 kilocycles to 30,000,000 kilocycles"· and

Whereas, the portion of the said "Report of Proposed Allocations from 25,000 Kilocycles to 30,000,000 Kilocycles" dealing with the railroad radio service (Part II, section 17 (1)) and such other general portions thereof as may be relevant to that service are to be deemed the report which the Commission proposes to issue in this docket proceeding No. 6593; and

Whereas, the Commission is of the opinion that public interest would be served by giving all interested persons an opportunity to appear before the Commission and argue why the Commission should order allocations different from those set forth in the "Report of Proposed Allocations from 25,000 Kilocycles to 30,000,000 Kilocycles" or otherwise to object to said Report;

Now, therefore, *it is ordered,* This 15th day of January, 1945, that all persons desiring an opportunity to appear before the Commission and to argue why the Commission should order allocations different from those set forth in the "Report of Proposed Allocations from 25,000 Kilocycles to 30,000,000 Kilocycles" or otherwise object to said report, should file a written request with the Commission on or before January 29, 1945. If any such requests are filed, oral argu-

ment will be held before the Commission en banc, beginning February 14, 1945 at 10:30 a. m. All persons who have filed a request to be heard in such oral argument shall file with the Commission on or before February 9, 1945, twenty-five copies of a brief. As early before the date of the oral argument as possible, the Commission will issue a notice setting forth the order in which persons may be heard and the length of time to be allocated for argument.

It is further ordered, That copies of the said "Report of Proposed Allocations from 25,000 Kilocycles to 30,000,000 Kilocycles" issued in docket proceeding No. 6651 shall be sent to all persons who appeared in this docket proceeding No. 6593.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-1395; Filed, Jan. 23, 1945; 10:06 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Rev. S. O. 229-A]

PLACING OF COAL CARS AT MINE OF PHOENIX COAL CO.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22nd day of January, A. D. 1945.

Upon further consideration of Revised Service Order No. 229 (9 F.R. 11213) of September 9, 1944, and good cause appearing therefor

It is ordered, That: (a) Revised Service Order No. 229 (9 F.R. 11213) of September 9, 1944, prohibiting the placing of coal cars at the mine of the Phoenix Coal Company, Llewellyn, Pennsylvania, be and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered, That this order shall become effective at 11:59 p. m., January 22, 1945; that a copy of this order and direction shall be served upon the Reading Company, upon the Pennsylvania Public Utility Commission and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 45-1404; Filed, Jan. 23, 1945; 11:31 a. m.]

[S. O. 269-A]

LOADING OF ANTHRACITE AT AVOCA, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of January, A. D. 1945.

Upon further consideration of Service Order No. 269 (10 F R. 57-58) of December 28, 1944, and good cause appearing therefor:

It is ordered, That (a) Service Order No. 269 (10 F.R. 57-58) of December 28, 1944, prohibiting the Lackawanna and Wyoming Valley Railroad Company from setting coal cars at the Rocky Glen (Parkside) breaker at Avoca, Pennsylvania, for loading with anthracite produced at Rocky Glen (Parkside) breaker, Avoca, Pennsylvania, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered, That this order shall become effective at 11:59 p. m., January 22, 1945; that a copy of this order shall be served on the Pennsylvania Public Utility Commission; that a copy of this order and direction shall be served upon the Lackawanna and Wyoming Valley Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 45-1405; Filed, Jan. 23, 1945; 11:31 a. m.]

[S. O. 276]

ROUTING OF SYMBOL TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22nd day of January, A. D. 1945

It appearing, That in the opinion of the Commission certain symbol traffic should be routed to best promote the service in the interest of the public and the commerce of the people:

It is ordered, that: (a) *Routing of symbol traffic.* The Atlantic Coast Line Railroad Company shall route one hundred (100) cars of Symbol 7G per calendar day originating at Meraux, Louisiana, by way of Wadesboro, North Carolina—Winston-Salem Southbound Railway Company—Winston-Salem, North Carolina—Norfolk and Western Railway Company—Shenandoah Junction, West Virginia, thence by way of The Baltimore and Ohio Railroad Company destined Twin Oaks, Pennsylvania.

(b) *Application.* The provisions of this order shall apply to foreign as well as interstate commerce.

(c) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, shall be the rates which were applicable at date of shipment over the routes so designated.

(d) *Division of rates.* In executing the orders and directions of the Commission provided for in this order, common carriers affected shall proceed, even though no division agreements are in effect, over the routes authorized; divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of said carriers to so agree, the divisions shall be hereinafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. If division agreements now exist on the traffic affected, over the routes herein authorized they shall not be changed or affected by this order.

(e) *Effective date.* This order shall become effective at 12:01 a. m., January 23, 1945.

(f) *Expiration date.* This order shall expire at 12:01 a. m. February 23, 1945, unless otherwise modified, changed, suspended or annulled by order of this Com- 41 Stat. 476, 485, secs. 4, 10; 54 Stat. 901, 41 Stat. 476, 485, secrs. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17))

It is further ordered, that copies of this order and direction shall be served upon the carriers named herein and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 45-1406; Filed, Jan. 23, 1945; 11:31 a. m.]

[S. O. 70-A, Special Permit 824]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, January 19, 1945, by Mailloux Fruit & Produce Company, of car BREX 75166, tomatoes, now on the C. R. I. & P Railroad, to Mailloux Fruit & Produce Company, Chicago, Illinois, (Alton).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of January 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-1402; Filed, Jan. 23, 1945; 11:31 a. m.]

[S. O. 70-A, Special Permit 825]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, January 19, 1945, by Abe's Potato Company, of car PFE 40992, potatoes, now on the C. &. N. W. Railroad, to Battaglia Company, Kankakee, Illinois (I. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of January 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-1403; Filed, Jan. 23, 1945; 11:31 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT E-8]

LITTLE ROCK, ARK., AREA

EXPEDITING COLLECTION AND DELIVERY OF LINE-HAUL SHIPMENTS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21, and in order to conserve and providently utilize vital transportation equipment, materials, and supplies, and to provide for the continuous and expeditious movement of necessary traffic by common carriers of property, the attainment of which purposes is essential to the successful prosecution of the war, it is hereby ordered that:

1. *Applicability.* The provisions of this order shall be applicable only to the collection and delivery by or for the account of common carriers in the Little Rock Area of shipments of property transported in line-haul service.

2. *Definitions.* As used in this order, the term:

(a) "Little Rock area" means and includes the municipalities of Little Rock, North Little Rock, and Camp Joseph T. Robinson, Arkansas, and the territory immediately adjacent to each and commercially a part therof;

(b) "Common carrier" or "carrier" means any person which holds itself out to engage in the transportation of property for the general public in line-haul service for compensation, regardless of the designation of such person under any Federal or State statute;

(c) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(d) "Line-haul service" means the transportation of property by any facility of transportation between a point within the Little Rock area and a point outside that area;

(e) "Collection" or "collect" means taking possession of property at a shipper's dock, warehouse, or other point where the property is available for loading for transportation and includes the acceptance of property from the shipper at the terminal or other facility maintained by the carrier for the acceptance of property;

(f) "Delivery" or "deliver" means relinquishing possession of property at the consignee's dock, warehouse, or other point which the consignee has designated for receiving delivery of the property and includes acceptance of the property by the consignee at the terminal or other facility maintained by the carrier for the delivery of property;

(g) "Truckload traffic" means a shipment moving from one consignor to one consignee in one day under a truckload or volume rate, subject to a stated minimum weight of not less than 10,000 pounds and covered by one bill of lading;

(h) "Property" means anything, except persons and their personal baggage, capable of being transported by vehicle;

(i) "Vehicle" means any facility capable of being used for the transportation of property; and,

(j) "Special equipment" means any vehicle, the primary carrying capacity of which is occupied by mounted machinery.

3. *Collections of property; availability and restrictions.* (a) Before attempting collection of property, a common carrier shall make definite arrangements with the shipper thereof as to the time when and the place where the property will be available for collection.

(b) No common carrier shall collect, or cause the collection of, property at any time except;

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, and then only when the order for the collection thereof is received by the carrier prior to 3 p. m. of such day; or,

(2) Between the hours of 8 a. m. and 2 p. m. on any Saturday and then only when the order for the collection thereof is received by the carrier prior to 12 noon of such day.

(c) No common carrier shall make, or cause to be made, more than one collection of property from any one dock, warehouse, or other collection point, for the account of any one shipper on any one calendar day: *Provided,* That the collection of truckload traffic, as defined by subparagraph (g,) of paragraph 2 of this order shall not be subject to the restriction of this subparagraph (c)

4. *Designation of collection point; preparation of property for shipment.* No common carrier shall attempt the collection of property from a shipper unless and until the shipper, prior to the time agreed upon by the carrier and shipper for the collection of such property, shall have:

(a) Designated the point or points at which the property will be available for collection;

(b) Prepared the property for shipment including, in respect of two or more shipments, the segregation and separation of such shipments to permit prompt checking and identification by the carrier; and,

(c) Placed the property for collection at the point or points so designated.

5. *Failure to prepare property for shipment; collection deferred.* Whenever a shipper fails, prior to the time agreed upon by the carrier and shipper, to prepare and place property for collection in the manner specified by paragraph 4 of this order, no common carrier shall collect, or cause the collection of, the property thereafter during the same calendar day.

6. *Restrictions on deliveries.* (a) No common carrier shall deliver, or cause the delivery of, property at any time except:

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday;

(2) Between the hours of 8 a. m. and 2 p. m. on any Saturday.

(b) When delivering two or more shipments to a consignee at one time, the common carrier shall segregate or separate such shipments to permit prompt checking and identification of such shipments by the consignee.

(c) In effecting deliveries of property no common carrier shall:

(1) Sort or separate any shipment as to sizes, brands, flavors, or other characteristics, for the use of the consignee; or,

(2) Deliver a single shipment, or part thereof, to more than one receiving point on or within the premises of the consignee.

(d) No common carrier shall make, or cause to be made, more than one delivery of property to any one destination point for the account or benefit of any one consignee on any one calendar day: *Provided,* That the delivery of truckload traffic, as defined by subparagraph (g) of paragraph 2 of this order shall not be subject to the restriction of this subparagraph (d).

7. *Placement of vehicles for collections or deliveries; restrictions.* No common carrier for the purpose of collecting or delivering property shall place, or spot, or cause to be placed or spotted, or permit or allow to remain, any vehicle on, at, or near the premises of a shipper or consignee (or other point or place designated by agreement for the collection or delivery of property) at any time during which collections, by virtue of the terms of paragraph 3 of this order, or deliveries, by virtue of the terms of paragraph 6 of this order, are prohibited.

8. *Truckload deliveries; notification of consignee.* A common carrier shall notify the consignee as to any truckload consignment before delivery thereof is attempted in order that the consignee may make provision for the prompt unloading of the vehicle, or vehicles.

9. *Place of collecting or delivering property.* Collections and deliveries of property shall be made only at places which physically are accessible to vehicles. Loading and unloading of vehicles shall be limited to places customarily used in collecting and delivering property at docks or street level.

10. *Prohibited collections and deliveries; when may be made.* (a) A common carrier, while making any collection or delivery not prohibited by the terms of the foregoing paragraphs of this order, may make any collection or delivery which is made without operating the collecting or delivering vehicle any additional distance.

(b) A common carrier who actually has commenced the collection of property at a shipper's dock, warehouse, or other point where the property is available as defined by paragraph 4 of this order, within the time not prohibited by the terms of paragraph 3 of this order, may complete the collection of such property: *Provided,* That the time required to complete such collection does not exceed an additional one-half hour from said 5 p. m. or said 2 p. m., as the case may be.

(c) A common carrier who actually has commenced the delivery of property at the premises of a consignee within the time not prohibited by the provisions of paragraph 6 of this order, may complete the delivery of such property.

11. *Exemption.* The provisions of this order shall not apply to respect of:

(a) Any shipment of property, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration;

(b) Any shipment consisting of household goods as defined by General Order ODT 43 (9 F.R. 3261)

(c) Any shipment of medicines or other supplies or equipment, the expedited movement of which is necessary for the protection or preservation of life, health or public safety;

(d) Any shipment of property, the transportation of which requires special equipment;

(e) Any shipment of livestock;

(f) Any shipment of property, the transportation of which requires the use of a mounted tank or tanks;

(g) Any shipment of property moving in the express service of any common carrier by express subject to the provisions of Part I of the Interstate Commerce Act;

(h) Any shipment of property during the course of its transfer between the terminals of carriers incidental to line-haul service; and,

(i) Any shipment of perishable commodities, the expedited movement of which is necessary to prevent spoilage or other damage from deterioration.

12. *Filing of tariffs.* Every common carrier required by law to file tariffs of rates, charges, rules, regulations and practices forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order, and publish and file in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rules, regulations and practices of the carriers which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

13. *Carrier not relieved from other laws or regulations.* The provisions of this order shall not be so construed or applied as to authorize or require any act or omission which is in violation of any law or regulation, including any general order or other requirement of the Office of Defense Transportation.

14. *Special permits.* The provisions of this order shall be subject to any special permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardship. Application for a special permit shall be made in conformity with the provisions of Administrative Order ODT 14 (9 F.R. 1184)

15. *Communications.* Communications concerning this order should refer to Special Order ODT E-8, and unless otherwise directed should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 27, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code § 633, Public Law 509, 78th Congress; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834)

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 23d day of January 1945.

J. M. JOHNSON,
Director
Office of Defense Transportation.

[F. R. Doc. 45-1373; Filed, Jan. 22, 1945; 3:20 p. m.]

[Supp. Order ODT 3, Rev. 498]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KNOXVILLE, TENN., AND BRISTOL, VA.-TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694, 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such car-

[1] Filed as part of the original document.

rier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 27, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of January 1945.

J. M. JOHNSON,
Director
Office of Defense Transportation.

APPENDIX 1

Associated Transport, Inc., New York, N. Y.
ET & WNC Transportation Company, Johnson City, Tenn.
The Mason & Dixon Lines, Inc., Kingsport, Tenn.
Andrew B. Crichton, R. M. Crichton, C. N. Crichton, M. E. Crichton, R. B. Crichton and A. B. Crichton, Jr., copartners, doing business as Super Service Motor Freight Company, Nashville, Tenn.
Rutherford Freight Lines, Inc., Bristol, Va.

[F. R. Doc. 45-1377; Filed, Jan. 22, 1945; 3:21 p. m.]

[Supp. Order ODT 3, Rev. 500]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ROCHESTER AND NEW YORK, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 27, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of January 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Leo D. Burden and Dorothy M. Cummins as Administratrix of the Estate of Frank V. Cummins, deceased, doing business as American Motor Freight Lines, New York, N. Y.
Clarence E. Bromley, doing business as Rochester Forwarding Company, Rochester, N. Y.

[F. R. Doc. 45-1376; Filed, Jan. 22, 1945; 3:21 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 6A-81]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN COUNTY OF SAN FRANCISCO, CALIF.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 27, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of January 1945.

J. M. JOHNSON,
Director
Office of Defense Transportation.

APPENDIX 1

ABC Transfer & Storage Co., Inc., San Francisco, Calif.

Oliver J. Austin, doing business as Austin Draying Company, San Francisco, Calif.

W. R. Ballinger & Son, San Francisco, Calif.

Warren Ballinger, doing business as Warren Ballinger Drayage Co., San Francisco, Calif.

S. Brizzolara Draying Co., San Francisco, Calif.

Joe Ratto, doing business as F J. Burns, San Francisco, Calif.

J. A. Clark Draying Company, Ltd., San Francisco, Calif.

Ben Cassinerio and O. T. Minedew, copartners, doing business as Central Warehouse & Drayage Co., San Francisco, Calif.

M. Comaich, San Francisco, Calif.

Mary R. De Matei, doing business as De matei Drayage Co., San Francisco, Calif.

Angelo Martin Devincenzi and Albert John Gioardo, copartners, doing business as A. M. Devincenzi, San Francisco, Calif.

M. S. Dodd, doing business as The Dodd Warehouses, San Francisco, Calif.

Emmons Draying & Safe Moving Co., San Francisco, Calif.

The Englander Drayage & Warehouse Co., San Francisco, Calif.

Farnsworth & Ruggles, San Francisco, Calif.

J. C. Gaffney, doing business as Gaffney Drayage Co., San Francisco, Calif.

Daniel Gallagher, Teaming, Mercantile & Realty Co., San Francisco, Calif.

George N. Hansen, doing business as Golden Gate Draying, San Francisco, Calif.

Charles Horner, doing business as Graham Drayage Company, San Francisco, Calif.

Wilfred S. Dunn, doing business as H. & D. Co-Operative Delivery, San Francisco, Calif.

Haslett Warehouse Company, San Francisco, Calif.

Arthur J. Samuelsen, doing business as Huddleston Drayage Company, San Francisco, Calif.

G. A. Hutchinson Sr. & G. A. Hutchinson, Jr., copartners, doing business as G. A. Hutchinson & Son, San Francisco, Calif.

Chas. F Kane, doing business as Chas. F. Kane & Co., San Francisco, Calif.

South End Warehouse Company, doing business as King and Company, San Francisco, Calif.

George Linale, doing business as Linale Draying Company, San Francisco, Calif.

Joe Magini Draying Co., San Francisco, Calif.

John Fox, doing business as John McCarthy & Son, San Francisco, Calif.

Simon Morris, doing business as S. Morris & Co., San Francisco, Calif.

J. E. Bertoli, doing business as H. Motroni & Co., San Francisco, Calif.

Overland Freight Transfer Company, San Francisco, Calif.

Fred Paganini, doing business as L. R. Paganini Drayage, San Francisco, Calif.

Helene Bardin Schaeffle, Executrix of the Estate of Frank Nolan, doing business as Frank Nolan Drayage Company, San Francisco, Calif.

Eva L. Graham, J. Arthur Graham & Willard S. Graham, copartners, doing business as R B & S Special Delivery Co., San Francisco, Calif.

James C. Coughlin and Henry F Coughlin, Administrators of the Estate of J. J. Coughlin, deceased, and James C. Coughlin and Melvin L. Coughlin, Administrators of the Estate of E. Coughlin, deceased, doing business as Red Line Transfer Co., San Francisco, Calif.

Cecil A. Reid & David W. Reid, copartners, doing business as A. W. Reid Draying Company, San Francisco, Calif.

Robertson Drayage Co., Inc., San Francisco, Calif.

C. G. Rosenbrock & C. A. Haack, copartners, doing business as Rosenbrock & Haack, San Francisco, Calif.

San Francisco Warehouse Company, San Francisco, Calif.

Savage Transportation Company, San Francisco, Calif.

George Scharetg and Otto Scharetg, copartners, doing business as George Scharetg & Sons, San Francisco, Calif.

Walter H. Schroeder, doing business as Schroeder Drayage Co., San Francisco, Calif.

Schulken Bros., San Francisco, Calif.

J. Schussler & Company, San Francisco, Calif.

Joseph D. Sheedy, doing business as Jos. D. Sheedy Drayage Co., San Francisco, Calif.

Michael Telesmanic, San Francisco, Calif.

G. W. Thomas Drayage & Rigging Co., Inc., San Francisco, Calif.

Thompson Bros., Inc., San Francisco, Calif.

Albert L. Arata, doing business as Tigha Draying Co., San Francisco, Calif.

[1] Filed as part of the original document.

William Tolentino, doing business as Tolentino Drayage, San Francisco, Calif.
Walkup Drayage & Warehouse Company, San Francisco, Calif.
Samuel J. Wehrli, doing business as Wehrli Bros. Drayage Co., San Francisco, Calif.
Fred N. Worth, doing business as C. A. Worth & Co., San Francisco, Calif.
Carley and Hamilton, Inc., San Francisco, Calif.
F. A. Mosebach, doing business as F. A. Mosebach Drayage Co., San Francisco, Calif.
Chas. J. Worth Drayage Co., San Francisco, Calif.

[F. R. Doc. 45-1374; Filed, Jan. 22, 1945; 3:20 p. m.]

[Supp. Order ODT 6A-86]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN TULSA, OKLA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 27, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of January 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Be-Mac Transport Company, Inc., St. Louis, Mo.
Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed, and Lena Newman, copartners, doing business as Cain's Truck Lines, Oklahoma City, Okla.
Campbell Sixty-Six Express, Inc., Springfield, Mo.
The Chief Freight Lines Company, Kansas City, Mo.
English Freight Company, Dallas, Tex.
Gillette Motor Transport, Inc., Dallas, Tex.
Lee Way Motor Freight, Inc., Oklahoma City, Okla.
W. G. Burgess, doing business as Reliable Motor Freight Line, Tulsa, Okla.
Rice & Company, Inc., Kansas City, Mo.
Roadway Express, Inc., Akron, Ohio.
The Santa Fe Trail Transportation Company, Wichita, Kans.
Strickland Transportation Co., Inc., Dallas, Tex.
H. L. Evans, doing business as Silver Motor Freight Lines, Tulsa, Okla.
Tri-State Motor Transport, Joplin, Mo.
Yellow Transit Co., Oklahoma City, Okla.

[F. R. Doc. 45-1378; Filed, Jan. 22, 1945; 3:21 p. m.]

[Supp. Order ODT 6A-87]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN MEMPHIS, TENN., METROPOLITAN AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such

[1] Filed as part of the original document.

regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interset to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 27, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of January 1945.

J. M. JOHNSON,
Director
Office of Defense Transportation.

APPENDIX 1

T. R. Shumpert, doing business as Shumpert Truck Line, Amory, Miss.

Clay Robinson, doing business as Clay Robinson Truck Line, West Point, Miss.

M. Annie Morris, doing business as Morris Truck Line, Parkin, Ark.

Dudley E. Freeman, doing business as Freeman Truck Line, Oxford, Miss.

Ross C. Gay and J. T. Gay, Copartners, doing business as Gay Truck Line, Faulkner, Miss.

[F. R. Doc. 45-1375; Filed, Jan. 22, 1945; 3:20 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 3310]

SAN FRANCISCO DIE CASTING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum prices for all sales and deliveries by the San Francisco Die Casting Company, 776 Clementina Street, San Francisco 3, California, of aluminum sauce pans of its manufacture, as described in its application dated November 15, 1944, are as follows:

Article	Model No.	Maximum price to jobber	Maximum price to retailer
		Each	*Each*
Aluminum sauce pan	200—2 quart	$2.25	$2.70
	300—3 quart	2.875	3.45
	400—4 quart	3.475	4.17

These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(b) The maximum prices for all sales and deliveries at wholesale for the sauce pans described in paragraph (a) above shall be the prices set forth below as follows:

Article and Model No..	*Maximum price to retailers (each)*
Aluminum sauce pan, 200—2 quart	$2.70
Aluminum sauce pan, 300—3 quart	3.45
Aluminum sauce pan, 400—4 quart	4.17

These prices are f. o. b. seller's city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the aluminum sauce pans described in paragraph (a) above shall be as follows:

Article and Model No..	*Maximum price to user (each)*
Aluminum sauce pan, 200—2 quart	$4.50
Aluminum sauce pan, 300—3 quart	6.75
Aluminum sauce pan, 400—4 quart	6.95

(d) On each sauce pan shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price. This tag or label shall not be removed before delivery to the consumer.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser; and every jobber who sells an article covered by this order to another jobber shall notify that purchaser in writing of the maximum prices established by this order for resales by that purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 3310 may be revoked or amended by the Price Administrator at any time.

This Order No. 3310 shall become effective on the 23d day of January 1945.

Issued this 22d day of January 1945.

CHESTER BOWLES,
Administrator

[F R. Doc. 45-1388; Filed, Jan. 22, 1945; 4:16 p. m.]

[RMPR 165, Amdt. 1 to Order 42]

RETAIL DRY CLEANING OR PRESSING ESTABLISHMENTS

POSTING OF MAXIMUM PRICES

An opinion issued in support of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in that opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. 42 under section 14 (c) of Revised Maximum Price Regulation 165 (Services) is hereby amended in the following respect:

The first sentence of section 1 is amended to read as follows: "If you own or operate a retail dry cleaning or pressing establishment, you must, on or before January 15, 1945, show on a poster to be supplied by the Office of Price Administration, your lowest maximum price (ceiling price) for each service listed on the poster which is supplied by you or offered for supply by you in the manner indicated below."

This amendment shall become effective January 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of January 1945.

JAMES F. BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1385; Filed, Jan. 22, 1945; 4:15 p. m.]

[MPR 260, Order 526]

H. FENDRICH, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. Fendrich, Inc., 101 Oakley Street, Evansville 7, Ind. (hereinafter called "manufacturer" and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Fendrich	Queen	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1945.

Issued this 20th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-1286; Filed, Jan. 20, 1945; 11:40 a. m.]

[MPR 260, Amdt. 1 to Order 294]

H. FENDRICH, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation 260; *It is ordered*, That:

The maximum prices for "Little Fendrich Panetelas," "Little Fendrich Buds" and "La Fendrich Favoritas" cigars set forth in paragraph (a) of Order No. 294 under Maximum Price Regulation 260 are amended to read as follows:

Brand	Frontmark	Maximum list price	Maximum retail price
		Per M	*Cents*
Little Fendrich	Panetela	$48	6
	Buds	62	4
La Fendrich	Favorita	75	19

This amendment shall become effective January 22, 1945.

Issued this 20th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-1285; Filed, Jan. 20, 1945; 11:40 a. m.]

[MPR 260, Order 527]

CELESTINO CESARO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Celestino Cesaro Cigar Company, 22 Whyte Street, Jersey City, N. J., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Sigari Cesaro	5½	50	$48	6
Toscani Gianetta	5⅜ x 47/64	50	23	10 for 35
	5½	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged, or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-1348; Filed, Jan. 22, 1945; 11:58 a. m.]

[MPR 260, Order 523]

MOLLIE BLOCK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Mollie Block, 97 Broadway, Brooklyn, N. Y., (hereinafter called "manufac-

turer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Dover Hall	Longfellow	50	$60	2 for 15
	Favorites	50	60	2 for 15
Lord Rector	Trumps	50	64	8
	Bouquets	50	90	12
Dover Arms	Petit Coronas	50	64	8
Lord Rector	Juniors	50	48	6
	Corona	50	146	19
	Panatella	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-1349; Filed, Jan. 22, 1945; 11:58 a. m.]

[MPR 260, Order 529]

ASTORIA CIGAR CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Astoria Cigar Co., Inc. 42-16 28th Ave., Long Island City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Astoria	5 for 15¢	50	$22	4 for 11
	5 for 18¢	50	22	4 for 11
	2 for 8¢	50	24	3

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-1350; Filed, Jan. 22, 1945; 11:58 a. m.]

[MPR 260, Order 530]

GRANDA-TREJO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Granda-Trejo Cigar Factory, 2209½ Sixth Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Granda-Trejo	Cadetes	50	$78.75	2 for 21
	Brova	50	146.00	19
	Londres Chico	50	123.00	16

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed

by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-1351; Filed, Jan. 22, 1945; 11:59 a. m.]

[MPR 260, Order 531]

VALDES Y VALIENTE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Valdes y Valiente Cigar Co., 1806-11th Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Valdes y Valiente	Breva	50	$146	19
	Corona	50	56	7
	Londres	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-1352; Filed, Jan. 22, 1945; 11:59 a. m.]

[MPR 260, Order 532]

MIDWEST CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Midwest Cigar Company, 700 Foot Schulz Bldg., St. Paul, Minn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Medica	Perfectos	50	$50	7
Seal of Minnesota	Invincibles	50	75	10
	Fancy Tales	50	90	12
	Favorites	50	124	2 for 35
	Queens	50	56	7
	Londres Grande	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1353; Filed, Jan. 22, 1945; 12:00 m.]

[MPR 260, Order 533]

PAUL P COLLINS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Paul P Collins, 75 West Main Street, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Our Principal Senior.	Invincible	50	$40	5
Pure Stock	Club House	50	40	5
El Rivero	Invincible	50	40	5
Golden Hour	Club House	50	40	5
Collin's Pride	Invincible	50	40	5
Rochester King	Straight	50	40	5
Rose Price	Straight	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1354; Filed, Jan. 22, 1945; 12:00 m.]

[MPR 260, Order 534]

EL COLOSO CIGAR FACTORY SUCCESSORS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) El Coloso Cigar Factory Successors, 1419 E. Broadway Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Celso	Sublimes	50	$40.00	5
	Presidents	50	40.00	5
	Brevas	50	101.25	2 for 27
	Palmas	50	101.25	2 for 27
	Brevitas	50	101.25	2 for 27
	Cadetes	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1355; Filed, Jan. 22, 1945; 12:00 m.]

[MPR 260, Order 535]

DEMETRIO MARTINEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Demetrio Martinez, 1410 Broadway, Tampa 5, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
O'Halloran y Garcia.	Brevas	50	$75	10
Denez	Cadets	50	50	7
	Reinas	50	48	6
O'Halloran y Garcia.	Nacionales	50	164	20
	Queens	50	164	20
	Brevas Grandes	50	138	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1356; Filed, Jan. 22, 1945; 12:00 m.]

[MPR 260, Order 536]

LA PALOMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Paloma Cigar Co., 2137 Main St., Tampa 7, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Paloma	Corona	50	*Per M* $55	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-1357; Filed, Jan. 22, 1945; 12:01 p. m.]

[MPR 260, Order 537]

S. RODRIGUEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to §1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) S. Rodriguez Cigar Factory, 2539 Green St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Violeta	Colete	50	*Per M* $54	*Cents* 8
	Panetela	50	50	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or

frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F R. Doc. 45-1358; Filed, Jan. 22, 1945; 12:01 p. m.]

[MPR 260, Order 538]

SANCHEZ & MONTESINO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to §1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Sanchez & Montesino Cigar Factory, 3107-17th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Mundo	Kings	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars at the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1359; Filed, Jan. 22, 1945; 12:01 p. m.]

[MPR 260, Order 539]

TAMPA-HAVANA INDUSTRIAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Tampa-Havana Industrial Co. 1414 13th Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de Tampa	Palmas	50	$56.00	7
	Brevas	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1360; Filed, Jan. 22, 1945; 12:01 p. m.]

[MPR 260, Order 540]

TAMPA-KILO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Tampa-Kilo Cigar Co., 1414¾ Thirteenth Ave., Tampa 5, Fla. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer

to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampa-Kilo	Brevas Specials	50	$115	15
	Commander Specials	50	60	2 for 15
	Specials-Panetelas	50	60	2 for 15
	Panetelas Extra Special	50	115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

CHESTER BOWLES,
Administrator.

[F R. Doc. 45-1361; Filed, Jan. 22, 1945; 12:02 p. m.]

[MPR 260, Order 541]

RAUL SALGADO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That,

(a) Raul Salgado Cigar Factory, 4105 Nebraska Avenue, Tampa 3, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Mer Mels	Coronas	50	$49	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked, or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-1362; Filed, Jan. 22, 1945; 12:02 p. m.]

[MPR 260, Order 542]

CHARLES C. SWARTZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Charles C. Swartz, R. D. #3, Mechanicsburg, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tales	Perfecto	50	$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic

cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1363; Filed, Jan. 22, 1945; 12:02 p. m.]

[MPR 260, Order 543]

MURRAY F MITZEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to §1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Murray F Mitzel, R. D. #2, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Nefta	Perfecto	60	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-1364; Filed, Jan. 22, 1945; 12:03 p. m.]

[MPR 528, Order 27]

B. F GOODRICH CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528; *It is ordered.*

(a) The maximum retail prices for the following sizes and types of new tires manufactured by The B. F Goodrich Company, Akron, Ohio, shall be:

ALL PURPOSE (SUPER TRACTION) TRUCK TIRES

Size and ply:	*Maximum retail price per tire*
11.00-24, 12	$139.55
12.00-24, 14	177.30
13.00-24, 16	251.20
14.00-24, 18	295.70

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F R. Doc. 45-1347; Filed, Jan. 22, 1945; 12:03 p. m.]

[MPR 188; Order 3311]

MID-WESTERN STEEL TREATING & FORGING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered.*

(a) This order establishes maximum prices for sales and deliveries of two chairs manufactured by Mid-Western Steel Treating & Forging Co., 1009 South West Street, Wichita, Kansas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Chair	1	$2.42	$2.83
	2	2.35	2.77

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 21, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington,

D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No..	*Maximum price to retailers (each)*
Chair, 1	$2.85
Chair, 2	2.77

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 21, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of January 1945.

Issued this 22d day of January 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-1346; Filed, Jan. 22, 1945; 11:58 a. m.]

[MPR 120, Order 1266]

ALPINE MINE, ET AL.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered.*

(a) The following maximum prices are hereby established for the sizes, methods of shipment, and uses of bituminous coal produced by the following mines, indicated by name and mine index number, all of District No. 17:

MAXIMUM PRICE EXCEPTIONS, ISSUED UNDER § 1340.207 (a), TO § 1340.228 APPENDIX Q PARAGRAPH (b) (1) SHIPMENTS TO ALL DESTINATIONS FOR ALL USES AND BY ALL METHODS OF TRANSPORTATION, EXCEPT TRUCK OR WAGON

Mine index No.	Mine name	Sub-district	Maximum prices and size group numbers for rail shipments																	Locomotive fuel			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17, 18	19	10	13	17, 18	19
1	Alpine	11	495	485	475	460	425	425	425	------	395	380	------	------	230	215	205	195	375	375	320	295	395	375
17	Butte Valley	17	525	520	505	485	495	445	440	400	400	380	395	395	225	210	210	175	380	395	370	295	380	395
27	Dawson No. 6	9	440	430	430	430	420	420	340	381	380	395	395	------	225	215	210	220	395	395	395	270	395	395
34	South Canon No. 2	18	500	500	500	440	415	380	375	------	425	380	------	------	230	225	215	205	375	395	330	290	375	325
47	Ludlow	7	450	440	440	440	370	370	360	------	375	395	------	------	225	215	215	195	395	330	370	270	375	370
51	Moffat	4	545	540	535	520	495	470	445	420	420	380	345	345	270	210	210	210	380	395	380	270	495	380
62	Pinnacle	4	545	540	535	520	495	470	445	------	420	380	345	345	270	------	210	210	380	395	380	270	415	380
74	South Canon	18	500	500	500	440	415	380	375	------	425	380	------	------	230	225	215	205	375	395	330	290	375	325
82	Wadge	5	475	475	460	470	445	415	405	------	375	380	395	395	225	------	215	210	395	380	380	290	395	380

PARAGRAPH (b) (2), SHIPMENT BY TRUCK OR WAGON

Mine index No.	Mine name	Sub-district	Maximum prices and size group No.							Mine index No.	Mine name	Sub-district	Maximum prices and size group No.						
			1, 4	5, 7	8, 10	11, 12	13, 15	16	17, 18				1, 4	5, 7	8, 10	11, 12	13, 15	16	17, 18
25	Crested Butte	11	540	460	395	------	295	------	395	62	Pinnacle	4	545	500	420	325	275	------	410
33	Garfield	15	550	525	500	395	335	275	425	68	Redvale	2	505	520	425	295	295	------	410
51	Moffat	4	545	500	420	395	275	220	400										

(b) The size group numbers referred to herein are the same as those described in § 1340.228 of Maximum Price Regulation No. 120. Where no price appears for a certain use or size of coal, the maximum price provided in the schedule, shall apply, unless otherwise specifically provided herein, including prices for shipments by truck.

(c) The following orders under Maximum Price Regulation No. 120 are hereby revoked: Orders Nos. 415, 446, 447, 591, 618, 629, 687, 691, 697 and Correction, 712, 751, 770, 876, 946, 1087, 1120, 1152 and 1166.

(d) This Order No. 1266 may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitons set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms and herein.

This Order No. 1266 shall become effective January 27, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-1344; Filed, Jan. 22, 1945; 11:56 a. m.]

[Order 27 Under 3 (c)]

THE LANGREEN CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.3 (c) (3) *It is ordered:*

(a) The maximum delivered prices for sales of "Alpo," a stove blackening paste, manufactured by The Langreen Company, New York City, shall be:

Size	To retailers	To ultimate consumers
	Per 100 jars	*Per jar*
17-ounce jars	$41.40	$0.69
8-ounce jars	23.40	.39
2-ounce jars	6.00	.10

(b) No extra charge may be made for containers.

(c) Prior to making any delivery of the aforesaid commodity, The Langreen Company, the manufacturer, shall mark upon each package of "Alpo" the following:

For 17-ounce jars "Retail Ceiling Price, $0.69"

For 8-ounce jars "Retail Ceiling Price, $0.39"

For 2-ounce jars "Retail Ceiling Price, $0.10"

(d) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective January 23, 1945.

Issued this 22d day of January 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-1367; Filed, Jan. 22, 1945; 4:15 p. m.]

[MPR 183, Corr. to Order 2662]

V. P. CARRICK NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

The name of the manufacturer set forth in Order No. 2662 under § 1499.158 of Maximum Price Regulation No. 188 is corrected to read "V P. Carrick Novelty Company," instead of "F. V Carrick Novelty Company."

Issued this 22d day of January 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-1386; Filed, Jan. 22, 1945; 4:15 p. m.]

Regional and District Office Orders.

[Region VIII Order G–1 Under SR15, Corr. to Amdt. 4]

FLUID MILK IN OREGON AND WASHINGTON

The first paragraph is corrected to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, Order No. G–1 under said section is hereby amended as follows:

This correction shall become effective upon its issuance.

Issued this 12th day of January 1945.

GEORGE MONCHARSH,
Acting Regional Administrator

[F. R. Doc.. 45–1369; Filed, Jan. 22, 1945, 2:06 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–1017, 70–1018]

UNITED GAS IMPROVEMENT CO. AND PHILADELPHIA ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 22d day of January 1945.

In the matters of the United Gas Improvement Company, File No. 70–1017· Philadelphia Electric Company, File No. 70–1018.

Notice is hereby given that applications and declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The United Gas Improvement Company (U. G. I.) a registered holding company and by Philadelphia Electric Company (P E.)

All interested persons are referred to said filings, which are on file in the office of the Commission, for a statement of the transactions therein proposed which may be summarized as follows:

U. G. I. proposes to sell to P E. all the outstanding capital stock of Chester County Light and Power Company (Chester County), a subsidiary of U. G. I., consisting of 5,850 shares of common stock, for a cash consideration of $614,-881.88. P E. thereafter proposes to loan Chester County $280.350 on open book account without interest, the proceeds of this loan to be used to redeem, as of June 1, 1945, all of Chester County's outstanding bonds in the principal amount of $267,000, at the redemption price of 105% of the principal amount thereof plus accrued interest to the date of redemption, thus relieving Delaware Coach Company, also a subsidiary of U. G. I., of its guaranty of principal and interest of such bonds.

It appearing to the Commission that it is appropriate in the public interest and the interests of investors and consumers that a hearing be held with respect to said declarations and applications and that said declarations should not become effective or said applications be granted except pursuant to further order of the Commission; and

It further appearing that the foregoing matters are related, and that evidence offered in respect to each of the matters may have a bearing on the other, and that substantial saving in time, effort and expense will result if said matters are consolidated;

It is hereby ordered, That said proceedings be, and hereby are, consolidated subject to the reservation that the Commission may, at any time it appears conducive to an orderly, efficient or economical disposition of any of the matters herein, order a separate hearing concerning any of the issues in the consolidated proceedings, close the record with respect to any of such issues or take any action on any such issues prior to the close of the record on the other issues therein, or consolidate with this proceeding other matters filed pertaining to the instant proceedings.

It is further ordered, That a hearing be held upon said matters, as consolidated, on February 5, 1945, at 10 a .m., e. w. t. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis E. Monty, or any other office or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in said proceeding shall file with the Secretary of the Commission on or before January 31, 1945 his request or application therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said applications and declarations, particular attention will be directed at such hearing to the following matters:

(1) Whether the consideration to be paid for the securities of Chester County is reasonable and bears a fair relationship to the sums invested in, or the earning capacity of, Chester County;

(2) Whether the proposed acquisition of the securities of Chester County by P E. will serve the public interest by tending toward the economical and efficient development of an integrated public utility system;

(3) What, if any, terms and conditions with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers;

(4) Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F R. Doc. 45–1429; Filed, Jan. 23, 1945; 11:56 a. m.]

SELECTIVE SERVICE SYSTEM.

[Camp Order 143]

SPRING GROVE STATE HOSPITAL PROJECT

DESIGNATION AS WORK OF NATIONAL IMPORTANCE

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended I hereby order:

1. That the Spring Grove State Hospital Project is designated as work of national importance, to be known as Civilian Public Service Camp No. 143. Said project, located at Catonsville, Baltimore County, Maryland, will be the base of operations for work at the Spring Grove State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

2. That the men assigned to said Spring Grove State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Spring Grove State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Spring Grove State Hospital. Administrative and directive control shall be under the Office of the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHEY,
Director

JANUARY 22, 1945.

[F R. Doc. 45–1389; Filed, Jan. 22, 1945; 4:17 p. m.]